

May 15, 2019

TO: The Board of Trustees of the University of Oregon

FR: Angela Wilhelms, Secretary of the University

RE: Notice of Board Meeting

The Board of Trustees of the University of Oregon will hold meetings on the dates and at the locations set forth below.

**Wednesday, May 22 – 12:45 p.m. – Executive Session Only**

Jordan Schnitzer Museum of Art

TOPIC: Graduate Teaching Fellows Federation bargaining update (pursuant to ORS 192.660(2)(d)).

**Thursday, May 23, – 9:30 a.m.**

Ford Alumni Center, Giustina Ballroom

TOPICS: standing reports, consideration of seconded motions from May 22 committee meetings, consideration of a resolution regarding resident undergraduate tuition, a presentation on academic work from a professor of Earth Sciences, a discussion about PERS, and consideration of proposed changes to the Student Conduct Code.

The meeting on May 23 will be webcast: <https://trustees.uoregon.edu/meetings>.

The Ford Alumni Center is located at 1720 E. 13<sup>th</sup> Avenue, Eugene, Oregon. If special accommodations are required, please contact Jennifer La Belle at (541) 346-3166 at least 72 hours in advance.

BOARD OF TRUSTEES

6227 University of Oregon, Eugene OR 97403-1266 | (541) 346-3166 | [trustees.uoregon.edu](https://trustees.uoregon.edu) | [trustees@uoregon.edu](mailto:trustees@uoregon.edu)

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**Board of Trustees**  
**Meeting Agenda | May 22 and 23, 2019**  
**Ford Alumni Center | Giustina Ballroom**

**WEDNESDAY, MAY 22 – 12:45 PM: CONVENE EXECUTIVE SESSION**

**Executive Session re Labor Negotiations**

The Board of Trustees will meet in executive session pursuant to ORS 192.660(2)(d) for purposes of conducting deliberations regarding labor negotiations with the Graduate Teaching Fellows Federation. This session is closed to members of the public and the media. The meeting will be called to order and adjourned. No other topics or matters will occur on May 22. Notwithstanding the location listed above, this May 22 executive session will occur in the Jordan Schnitzer Museum of Art.

**THURSDAY, MAY 23 – 9:30 AM: CONVENE PUBLIC MEETING**

- Call to order, roll call, verification of quorum
- Approval of March 2019 summary (Action)
- Public comment

**1. ASUO and University Senate Reports**

- ASUO President Maria Gallegos and Incoming ASUO Vice President Montse Mendez and Chief of Staff Hibo Abtidon
- Incoming Senate President Elizabeth Skowron

**2. Provost's and President's Reports**

**3. Undergraduate Resident Tuition (Action):** Michael Schill, President; Jamie Moffitt, Vice President for Finance and Administration and CFO; Kevin Marbury, Vice President for Student Life

*Recess: Estimated to Reconvene at 1:00 p.m.*

**4. Resolutions from Committee (pending May 22 committee action)**

- Seconded Motion from FFC: Capital Construction Project (Housing Project Preliminary Costs)
- Seconded Motion from FFC: FY20 Expenditure Temporary Authorization

**5. Student Conduct Code Changes (Action):** Kris Winter, Dean of Students

**6. A Look at PERS:** Tim Nesbitt, Interim Deputy Director of PERS Solutions for Public Services and former Higher Education Coordinating Commission Chair; John Tapogna, President and Partner, ECONorthwest economic research and consulting firm

**7. Academic Area in Focus – ShakeAlert, ALERTWildfire, and the Emerging Internet of (Wild) Things:** Professor Doug Toomey, Earth Sciences

*Meeting Adjourned*

## **Agenda Item #1**

### **ASUO and University Senate Reports**



Good Morning Board of Trustees,

I hope all is well! I want to apologize since I can't make this meeting as it conflicts with my class time in addition to my midterm today. But I have sent Montse Mendez my Vice President to speak on my behalf as well as Hibo Aptidon my Chief of Staff.

My name is Sabinna Pierre and I recently won the ASUO elections as President along with my entire highly qualified slate Ducks Empowered. I'm from Portland, Oregon and I'm a very proud daughter of Haitian Immigrants. I'm currently a Junior majoring in General Social Science with an emphasis on Business. In addition to minoring in Media Studies as well as Legal Studies. I aspire to go to law school once I graduate. I've been involved with ASUO for about 2 years currently serving as Vice Chair and sitting on the budget committee on EMU Board. In addition to previously serving as a senator in senate. I care tremendously about advocating for students and working to support all students on campus.

Montse is a Junior in Planning, Public Policy and Management with a minor in media studies. She also recently won the ASUO elections as Vice President. She has been an Orientation leader at UO, as well as a Resident Assistant. She is currently the budget chair of the EMU and President of the Senate at ASUO. She loves to collaborate with and support student groups and programming on campus.

Hibo is junior double majoring in Public Relations and Family and Human Services. She also was the campaign manager for Ducks Empowered and will be the Chief of Staff. She is from Portland, OR and believes highly that community involvement is important to have the community change you want to see. She has held positions in the Black Student Union, Alpha Chi Omega and ASUO. In ASUO, she served as the Multicultural Advocate in the Executive Branch. Hibo is also a part of the Black Cultural Center Design and Planning Committee. She's had the opportunity to be apart of multiple internships in the community during her college career.

Ducks Empowered is made up of 30 diverse and qualified students with different backgrounds, skills, and experiences here to represent UO students. We are about giving students a voice and empowering the many on this campus to be the leaders they are! That means we are concerned with making sure that students receive the protected right to voice themselves and speak their minds on the many issues that occur on this campus, especially in areas of tuition engagement, access to mental health, and fair student pay.

My team and I plan to work with the counseling center to raise more awareness to the various mental health resources available for students. In addition to holding mental health awareness campaigns as well as events in partnerships with various departments and student groups. We want to work to engage more students in the tuition process by creating workshops and working in coalition with student groups to raise more awareness around tuition.

Within our time in office we want to focus on ensuring that students are more aware of the resources available here on campus. We strive to increase student engagement with tuition processes so students can be involved with those processes. But also want to work to keep tuition under 5% and work to increase enrollment by supporting gateway programs from high school to college. We want to work to support the various new programs centered around academic success here for students. Lastly we want to continuously advocate to help enhance the student experience here on campus so students can be successful not only at UO but once they graduate. We are all looking forward to a productive year! Thank you.

Best Regards,

**Sabinna Pierre**

She/Her/Hers

*2019-2020 ASUO President*

## **Senate Report to the Board of Trustees: May, 2019**

***By, Elizabeth Skowron, Senate Vice President/Incoming President and Professor of Psychology***

Thank you for the time to talk to you today. Senate President Harbaugh has asked me to do the Senate report for this meeting. As background, my name is Elizabeth Skowron and I am a professor in Psychology. In my lab, we study how experiences in early childhood—including exposure to child abuse on the one hand and effective parenting programs on the other—shape developing neurobiology and capacities for self-regulation of emotion, attention, and behavior, for better and worse. My work is funded by the National Institutes of Health, and it is informed by clinical and family psychology and developmental neuroscience approaches. I'm here today because I am also currently serving as the Senate vice president. I look forward to starting my term as Senate president on June 5<sup>th</sup>.

At this time a year ago, I was deciding whether I should run for Senate vice president. As you can imagine, I was torn between seeing a strong commitment from many Senators to the academic and research mission of our university and to our students, and having some pause given the past contention between the Senate and Administration, and the “We” v. “They” culture that remains in some pockets of our institution. When running for vice president, I stated my platform was “to strengthen the University Senate and its role in asserting effective oversight on academic matters at the university” by ensuring “effective working relationships between Faculty and the Administration, and work[ing] hard to strengthen communication and collaborative decision-making.”

However, I also was clear that “while I think that it is important to build and maintain strong working relationships with the Administration, I [would] not hesitate to speak directly and in opposition if/when actions are taken that run counter to shared faculty governance or I believe are not in the best interests of the University. Those who know me well know that I tend to speak frankly and I will continue to do so in my dealings with the Administration” and faculty colleagues. I was also clear that I would always have “frank and honest discussions on matters of agreement and areas of divergence” with Bill Harbaugh in his role as Senate president, even hoping to put his blog out-of-business because we had gained new ground in working together and with the administration.

While I haven't met all of my original goals (e.g., my colleague's blog is still active), I do think that we have made progress in the Senate this year in serving as a deliberative body, and very often in collaboration with the administration. Below, I offer some highlights of our successful work this year.

Conflict of Interest/Commitment Policy Revisions. I co-chaired a new type of task force with Cass Moseley in the VPRI's office that was a joint effort between the Senate and Administration to revise our University *Conflict of Interest/Commitment policy*.

Student Evaluations of Teaching. Bill worked with others in the provost office and around campus to change the way we get feedback from students on faculty instruction to try to minimize the impact of bias and elicit more helpful insights on how teaching can be improved.

Conflicts of Interest & Abuses of Power Policy Revisions. Sonja Boos, Ib Gassama, along with support from Jessica Price in the general counsel's office, helped lead the revision of the policy on *Conflicts of Interest and Abuses of Power* to ensure that our campus does not allow inappropriate power differentials between two individuals engaged in a relationship, such as between a faculty member and their undergraduate student.

Enhancing Senate Engagement in Academic Committees Policy. I helped strengthen connections between our Senate and its core academic committees by sponsoring legislation to ensure our core committees (e.g., Graduate Council, Undergraduate Council, Committee on Courses & Core Education Council) always have a Senate representative on them, to support greater understanding within the Senate of the nature of work being done by these committees.

Academic Continuity Plan. Frances White and others on the Academic Council created a new Academic Continuity policy with input from a wide range of stakeholders to help ensure we can appropriately handle disruptions to instruction and grading on campus from events like earthquakes.

New Academic Programs. We have approved several new programs including Lundquist's Online Masters Program in Sports Product Management, a PhD in Ethnic Studies, and a PhD in Planning and Public Affairs.

We passed a resolution brought by Ed Davis, who represents other units on campus such as the museums, to help the administration think about alternative approaches to the necessary budget cuts. And most recently I was asked by President Schill to co-chair the search committee for the provost. It was an honor to be asked to serve in that role and I believe a testament to the accomplishments of the Senate this year. There have been many other accomplishments by countless individuals in the Senate and I'm proud to have played a role in this work.

In my role as president next year, I hope to:

- Continue the work of creating a better committee structure and connections within the Senate, and between the Senate and Administration.

- Empower new and returning senators to engage with the Senate by developing orientation programs for new and returning senators, and new committee members for early Fall term;

- Continue progress begun this year on improving channels for communication to and from senators and their constituencies.

- Experiment with monthly Senate meetings to free up time for senators to serve on important senate committees

- Continue strengthening connections between the Senate and the Graduate School, and the Offices for Equity and Inclusion and Research and Innovation

- Launch a new Student Success CAIT (i.e., Communities Accelerating the Impact of Teaching) with support from the Office of the President and the Senate

- Continue to build and strengthen policies, procedures, and practices that support effective faculty-led academic governance.

Again, thank you for your time today. I look forward to updating you more on our work at future meetings.

Elizabeth A. Skowron

## Agenda Item #2

### Provost and President Reports

*The reports are provided orally at the meeting; final reports will be published on their respective websites.*

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## Agenda Item #3

### Resident Undergraduate Tuition

*The information in this packet is not complete at the time of initial public posting. The Tuition and Fee Advisory Board's recommendation (attached) is in a public comment period, after which President Schill will formulate his final recommendation to the Board. This packet will be updated on Monday, May 20.*

To: Michael Schill, President  
From: Jamie Moffitt, Vice President for Finance & Administration and CFO, TFAB Co-Chair, and  
Kevin Marbury, Vice President for Student Life, TFAB Co-Chair  
Date: May 10th, 2019  
Re: Follow Up Memo regarding recommendations of the FY2019 Tuition and Fee Advisory  
Board (TFAB) regarding Resident Tuition Rates  
Cc: Jayanth Banavar, Senior Vice President and Provost

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On February 6<sup>th</sup>, we sent you a memo regarding the Tuition and Fee Advisory Board (TFAB) composition, process and recommendations for all FY2020 tuition and fee rates with the exception of resident, undergraduate tuition rates. The Board of Trustees (Board) approved those rates (with a minor change in the Health Center Fee) at its March meeting. At that time, we did not provide recommendations to you regarding resident, undergraduate rates as the Board indicated that it wanted to wait to set those rates until its May meeting when the institution would have more information available to it regarding projected enrollment for next year and likely state appropriation. This memo provides you with that recommendation, plus background information on the TFAB's process and considerations as we made our recommendation. For detailed information about the entire TFAB process, please see Appendix 1 (Feb. 6<sup>th</sup> TFAB memo).

### ***Budget Gap***

At the March Board meeting, the Board discussed the significant E&G (Education and General Expenses) fund budget gap facing the institution. Specifically, the following factors create a gap between expected revenue and expected costs for FY2020:

- |  |                |
|--|----------------|
| • Existing FY2019 budget gap (as of Q2): | \$7.9 million  |
| • FY2020 Cost Drivers                    | \$23.6 million |
| • Governor's Recommended Budget          | -\$2.7 million |
| • Total Gap in Funding:                  | \$34.2 million |

### ***Actions Taken to Reduce Budget Gap***

At the March Board meeting, and continuing into the spring, several actions have been taken that reduced the expected FY2020 budget gap. They include the following:

- |   |                |
|---|----------------|
| • 2.97% non-resident undergraduate rate increase approved | \$7.4 million  |
| • President announced general fund budget cuts            | \$11.6 million |
| • Co-Chairs of Ways & Means Committee Budget              | \$2.9 million  |
| • Value of Total Actions                                  | \$21.9 million |

After considering the impact of these actions, the institution was still left with a projected E&G fund gap of approximately \$12.3 million.

## ***Sensitivity Analysis***

The \$12.3 million projected funding gap assumes stable enrollment. While the institution has been investing in initiatives to increase enrollment, we are currently facing a significant decline in our international student population, which has dramatically impacted the budget. Over the last three years, the university's international student population has dropped by almost 1,000 students, which represents a loss of over \$30 million of recurring tuition revenue. Given the size of existing international student cohorts, the Office of Institutional Research is projecting that the number of international students on campus will continue to decline as larger cohorts of international students graduate and are replaced with smaller entering cohorts. The \$12.3 million estimated funding gap assumed that current recruitment initiatives will be capable of fully offsetting the impact of declining international student enrollment.

In April, TFAB members reviewed a sensitivity analysis that looked at various potential outcomes related to (1) legislative funding in the PUSF (Public University Support Fund), and (2) potential projected enrollment, to answer two questions:

- (1) What would the budget gap be after the institution implements the announced \$11.6 million of recurring budget cuts, *and* if resident tuition increases were held to under 5%?
- (2) What resident tuition rate increase would be necessary to balance the FY2020 budget *after* the \$11.6 million of budget cuts were taken into account?

Appendix 2 provides an overview of this sensitivity analysis.

At the time the analysis was conducted, there were several outstanding unknown factors that could affect the size of the projected funding gaps. These included:

- Q3 update to FY2019 budget gap
- Enrollment projections based on May student deposits
- Legislative process – expected PUSF funding

## ***Q3 Update to FY2019 Budget Gap***

As of Q2 (first six months of the fiscal year), the E&G fund was projected to be running a structural deficit of around \$7.9 million. While the finance team is still analyzing data from Q3, our preliminary review indicates that the projected structural deficit is likely to grow by an additional \$2-\$3 million, resulting in a total deficit of approximately \$9.9-\$10.9 million. As this recurring deficit will need to be addressed in future years, it adds to the size of the funding gap in the E&G fund.

## ***Projected Enrollment***

The enrollment management team has reported a successful recruiting season. The investments that have been made in additional recruiters, marketing, and scholarships appear to have been effective. Student deposits are higher than last year and although there is always the risk that summer “melt”

(i.e., students who make a tuition deposit but do not end up attending the institution) will be greater than expected, the enrollment management team is conservatively projecting that not only will we fully meet our enrollment targets but we will exceed those targets by approximately 150 resident students and 20 non-resident students. These additional students *should* generate approximately \$1.7 million in additional, unanticipated net tuition revenue.

### ***Legislative PUSF Funding***

In the Governor's initial recommended budget released in November, the PUSF was flat-funded, which would have resulted in a \$2.7 million cut to the University of Oregon's FY2020 state appropriation allocation. The more recent budget released by the co-chairs of the Ways and Means Committee increased PUSF funding to \$40.5 million, which would result in a \$200K year-over-year increase to the University of Oregon state allocation, beginning in FY2020. The final figure for the PUSF funding is not yet known. Although we would like to see at least \$120 million invested in the PUSF, the committee felt that such an increase was unlikely based on discussions with Libby Batlan and Hans Bernard, the UO's government relations staff. Rather, a more likely scenario is that final PUSF funding will fall somewhere between \$60 million and \$80 million. Below are the figures (calculated using the Higher Education Coordinating Commission's allocation model) for how much funding the UO would receive in FY2020 under various PUSF scenarios:

- |                          |  |
|--------------------------|--|
| • PUSF at \$40.5 million | UO receives \$200K additional in FY2020        |
| • PUSF at \$60 million   | UO receives \$2.0 million additional in FY2020 |
| • PUSF at \$80 million   | UO receives \$3.9 million additional in FY2020 |
| • PUSF at \$100 million  | UO receives \$6.0 million additional in FY2020 |
| • PUSF at \$120 million  | UO receives \$8.0 million additional in FY2020 |

### ***Scenario Analysis***

Throughout the course of the year, the TFAB used a projections calculator to discuss a broad range of tuition and budget cut scenarios (see Appendix 3 –tuition calculator). The full list of scenarios reviewed on May 7 is included in this document as Appendix 4; previously considered scenarios are listed in Appendix 5 (meeting summaries) and Appendix 1 (February memo). In each case, we considered various scenarios, based on different assumptions, using seven variables: (1) the FY19 budget deficit, (2) PUSF funding, (3) cost drivers, (4) budget cuts, (5) enrollment growth, (6) resident tuition rate increases, and (7) non-resident tuition rate increases. While a number of variables are still unknown, the assumptions in the various scenarios changed throughout the year as more information became available (e.g., enrollment growth) and decisions were made (e.g., non-resident tuition) about each variable. It should be noted that at our final meeting, the PUSF was still unknown so we felt compelled to consider various scenarios rather than relying on actual numbers.

### ***Recommended Resident, Undergraduate Tuition Rate***

After much discussion, the TFAB is recommending that you consider a graduated tuition schedule that *assumes* \$70 million of additional funding in the PUSF. However, should the PUSF increase above this estimate (e.g., \$80 million), we are recommending that those additional PUSF funds should be used for

the purpose of reducing the resident tuition increase, according to the proposed tuition schedule below. Please note that several members representing ASUO leadership have indicated that they are not supportive of this proposed schedule and will instead be submitting an alternative proposal regarding tuition.

The advisory group also recommends that the university set aside additional support funds, beyond what is normally budgeted, to support low-income resident students not covered by the PathwayOregon program. The figures in the chart below assume that in addition to the normal 10% of tuition revenue that is set aside for fee remissions, that an additional 10% of net tuition revenue from the resident tuition increase will be set aside to help students according to needs-based criteria. These funds could be used in a number of different ways to support students who are not eligible for PathwayOregon but who have significant income needs (e.g., fully offset the proposed tuition increase, partially offset the proposed tuition increase, focus on keeping the impact of the tuition increase below 5%, creation of a new emergency fund, etc.). The group discussed the fact that creating additional support funds (whether scholarship or emergency funds) would impact the budget and could result in a slightly higher tuition increase. It was noted that many other schools provide much greater levels of scholarship support than the UO and that these fee remissions are often funded with a higher tuition rate (i.e., high tuition/high aid model). It also should be noted that while there was general support for considering additional support for existing students affected by tuition increases, a concern was expressed about instituting a new precedent regarding additional set aside dollars for student support without additional study. It is important to note that all students in the PathwayOregon program (2,360 low income resident students in FY2019) who remain eligible for the program will continue to have all tuition and fees fully covered by the university and will not be directly impacted by this tuition increase.

#### **Proposed Tuition Increase Schedule:**

<b>PUSF Level</b>	<b>Resident Tuition Rate Increase</b>	<b>New Support Funds for Low Income Residents Not Covered by PathwayOregon</b>	<b>Announced Cuts</b>	<b>Remaining Gap</b>
\$70 million	11.06%	\$830K	\$11.6 million	\$2.3 million
\$80 million	9.68%	\$727K	\$11.6 million	\$2.4 million
\$90 million	7.83%	\$589K	\$11.6 million	\$2.5 million
\$100 million	6.45%	\$486K	\$11.6 million	\$2.4 million
\$110 million	5.53%	\$417K	\$11.6 million	\$2.0 million
\$120 million	4.61%	\$348K	\$11.6 million	\$1.7 million

Finally, many members of the TFAB felt strongly that the university should consider strategies over the long term for increasing its fee remission budget for needs-based aid to resident Oregonians who are not eligible for the PathwayOregon program.

To: Michael Schill, President  
From: ASUO Executive  
Date: May 10, 2019  
Re: Minority Report Memo regarding the FY2019 Tuition and Fee Advisory Board (TFAB) recommended Resident Undergraduate Tuition Rates

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This minority report memo will provide the ASUO Executive perspective on the FY2019 tuition-setting process, based on the participation of Maria Gallegos-Chacón (ASUO President), Imani Dorsey (ASUO Internal Vice President), and Odalis Aguilar-Aguilar (ASUO State Affairs Commissioner) as official members of the Tuition and Fee Advisory Board (TFAB), in collaboration with other members of our executive cabinet whom attended TFAB meetings over the course of the process. Additionally, this memo will provide our suggestions regarding the resident undergraduate tuition rate contextualized with our analysis of the University of Oregon budget structure, as a whole.

### **Participation on TFAB**

The makeup and function of this FY2019 TFAB began in accordance with the requirements of HB 4141. In regards to ASUO representation, we can confidently say these implemented changes have improved the operation of the advisory board in pursuit of better student inclusion in the tuition-setting process. Although, it should be noted that the students ASUO was not responsible for appointing were not fully present; Tova Kruss and Aimée Marquez were the two members who did attend every meeting. The graduate student and the other undergraduate student did not attend regularly, but occasionally, ASUO members brought an additional student, which made up for absences in student representation. We encourage incoming ASUO leadership, TFAB co-chairs, and Debbie Sharp to continue to partner to build on the progress TFAB has made to be more accessible to the general campus population. Additionally, we are disappointed with the lack of advocacy on behalf of co-chair and VP Marbury in which he represents student life but seldom advocated for students, despite attempts President Gallegos-Chacón has made requesting his aide. It is critical that students are not the only ones advocating for students.

### **Legislative Budget Advocacy**

ASUO officials have been in Salem multiple times a week, in partnership with the Libby Batlan, Hans Bernard, and other UO representatives, advocating that \$120 million be allocated to the PUSF. We brought updated knowledge from the legislature to the TFAB to get a better sense of the funding levels the UO would receive, in order to provide the TFAB with more certainty on how this could affect the budget hole. At this moment, it appears that the most likely funding scenarios for the PUSF will fall somewhere between \$60 million, with the UO receiving an

additional \$2 million, and \$80 million, with the UO receiving an additional \$3.9 million. We are doing our best to continue advocating for funds until the session is over.

### **Perspective on Budget and Actions Taken to Address the Budget**

Recognizing the \$34.2 million E & G budget shortfall, we recommended the University make cuts and move money around to alleviate the burden students would take on through paying an increasing cost of education and ensure that money is most effectively spent in accordance with the purpose of a university, which is to provide a quality post-secondary education. We are most concerned about those students most susceptible to tuition increases, meaning low-income, Pell-eligible and non-Pell eligible students, first-generation, and students of marginalized backgrounds.

In response, the University is proposing \$11.6 million in strategic cuts, claiming to protect student success, affordability, campus safety, and revenue-generating areas of campus. As a result, we are seeing the financial well-being of our unionized workers on campus be threatened, despite the disproportionate amount of work they provide in comparison to their benefits and wages to keep this institution operating. The Labor and Education Research Center, the Jordan Schnitzer Museum of Art, the Oregon Bach Festival, demonstrate the devaluation of unions and the arts by this university. We cannot support cuts that hurt the learning environment. For example, this means protecting GEs and the critical work they do directly with students whether it be teaching, grading, or enriching the community with their research.

We are highly concerned about the incongruence between the seemingly, highly-sensitive and unprotected E&G side of the budget compared to the, as described, “untouchable Other Funds” side of the budget, comprised of Grants and Contracts Revenue, Auxiliary Revenue, Student Center Revenue, Designated Operations Revenue, and Restricted Gifts. We understand this side of the budget is majority self-sustaining, contains money from non-tuition funded outside sources, and are protected by various legal contracts, but the priorities of this side are, in our opinion, targeted more towards providing a lavish experience at the UO, which is significantly less important than providing a quality, secure, and sound education. The claim that these construction projects and gifts from donors are integral to investing in this long-term financial well-being of the university in the face of disinvestment from the state, is relying on the status quo notion that increasing enrollment and growing campus will fix these budget problems. As we have seen with enrollment, it is constantly in flux and has hurt the university immensely. The campus is beautiful and we provide an illustrious non-educational experience, but students are not coming because it is too expensive in comparison to the quality. The strategy of investing, growing campus, and accepting frivolous gifts is not the concern of students today who risk being priced out.

It is not on student's backs to fix an unbalanced budget. ASUO groups are held accountable to every penny they spend and are vigilant when it comes to being fiscally responsible. We find it hard to believe the University is consistently in a deficit and instead of looking for transformative, creative, and sustainable budget solutions, we continue to raise tuition and cut employees as our only solution. We expect more from our university, and this fiscal irresponsibility has hurt us this legislative session in which legislators have been aware for years that UO has an issue with overspending as a result of poor priorities. Further, last year, there was a transfer of approximately \$14 million from the E&G budget to Plant Funds on the "Other Funds" side of the budget. We recognize this is under the discretion of departments to work on capital projects they see necessary and we do not completely disagree with this. The point is, if money is able to move, and in these amounts, we believe it is imperative to explore options for flowing money from the "Other Funds" to E&G, especially in financial conditions as dire as these in an effort to bring our focus back to providing an affordable, accessible, and quality education as the number one priority.

### **Financial Aid**

We are in agreeance with the suggestion from TFAB to allocate tuition to financial aid, and it should be noted that ASUO leadership have been pushing this kind of idea from the beginning.

From the FY2019 TFAB Undergraduate Resident Tuition Recommendation:

"The advisory group also recommends that the university set aside additional scholarship funds, beyond what is normally budgeted, to support low-income resident students not covered by the PathwayOregon program. The figures in the chart below assume that in addition to the normal 10% of tuition revenue that is set aside for fee remissions, that an additional 10% of net tuition revenue from the resident tuition increase will be set aside to help students according to needs-based criteria. In total we are recommending that 20% of tuition revenue is allocated for students who are likely most vulnerable to tuition hikes. These funds could be used in a number of different ways to support students who are not eligible for PathwayOregon but who have significant income needs (e.g., fully offset the proposed tuition increase, partially offset the proposed tuition increase, focus on keeping the impact of the tuition increase below 5%, creation of a new emergency fund, etc.). The group discussed the fact that creating additional support funds (whether scholarship or emergency funds) would impact the budget and could result in a slightly higher tuition increase. It was noted that many other schools provide much greater levels of scholarship support than the UO and that these fee remissions are often funded with a higher tuition rate (i.e., high tuition/high aid model). It is important to note that all students in the PathwayOregon program (2,360 low income resident students in FY19) who remain eligible for the program will continue to have all tuition and fees fully covered by the university and will not be directly impacted by this tuition increase."

In this meeting members also discussed that these funds should be consulted with student leadership from ASUO to get a sense of how the student body would be best served with this model of increased financial aid.

There is no doubt that the tuition setting process is difficult and that this year has had many challenges. With that being said, ASUO has found the suggestion of an 11.06% in state tuition

increase to be unfair and irrefutable towards students. Far too long students have had to carry the burden of funding public universities across the United States, and this burden is resulting in homelessness, hunger, and students being priced out or all together left out of a chance at a better life. It is the duty of the ASUO to protect and advocate for students which is why we have submitted this minority report today. Throughout the tuition setting process we have been left with several unanswered questions, namely; why some budgets are deemed as “untouchable” and therefore non transferable (athletics, housing, etc.) when other public universities use transfers to fill holes in times of deficit. The reliance on students and enrollment projections has proven time and again to be an irresponsible tactic. We encourage President Schill and the Board of Trustees to seriously consider putting in the extra work to restructure this budget to reflect this true priorities of the University of Oregon and ensure students are protected in pursuit of their education. Students are highly critical of these budget issues, but we also have many creative ideas for how to fix it. Listen to us. It may be strenuous to shift from the status quo, but it will be well worth it.

### **Appendix List**

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## **Appendix 1 - February TFAB Recommendations Memo**

To: Michael Schill, President  
From: Jamie Moffitt, Vice President for Finance & Administration and CFO, TFAB Co-Chair, and Kevin Marbury, Vice President for Student Life, TFAB Co-Chair  
Date: February 6, 2019  
Re: Recommendations of the FY2019 Tuition and Fee Advisory Board (TFAB)  
Cc: Jayanth Banavar, Senior Vice President and Provost

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This year the Tuition and Fee Advisory Board (TFAB) included five students (one graduate student and four undergraduate students, including the ASUO president and ASUO internal vice president), faculty, deans, vice presidents, vice provosts, and administrative staff engaged in budgeting, institutional research, and financial aid. A list of TFAB members is included at the end of this memo.

The TFAB met nine times, October 2018 through February 2019. All meetings were open to the public. We consistently had guests join our discussions including several students and reporters from the *Daily Emerald*. Fall meetings focused on historical and comparative information, the university budget, mechanisms by which moneys are appropriated by the Legislative Assembly to the Higher Education Coordinating Commission (HECC) for allocation to public universities, campus growth and undergraduate enrollment, cost drivers, a plan for cost management, tuition and fee information, and preliminary planning for the January student forum. Winter meetings covered the Governor's Recommended Budget (GRB), specific proposals for graduate tuition, course fees, mandatory fees, and housing fees, as well planning for and feedback from the student forum. The TFAB also spent significant time discussing various budget and tuition scenarios for FY2020 before developing a recommendation for non-resident undergraduate tuition rates. We will be bringing a recommendation to the university president regarding resident tuition rates in May, once more information is available related to student enrollment and the legislative process.

In addition to nine TFAB meetings, the ASUO and the TFAB hosted a well-attended student forum (approximately 120 people participated) on the tuition-setting process in mid-January. The forum included a presentation that covered a broad range of topics including the university's financial position, decreased levels of state appropriation, FY2020 cost drivers, the Governor's Recommended Budget, and plans for campus growth. Following the presentation, students participated in small group discussions at each table, facilitated by TFAB members and senior staff. Questions and feedback from the small group discussions were compiled, shared, and discussed at subsequent TFAB meetings. A second student forum—hosted by the university president—is being planned for early February.

University Communications staff have been updating the university's tuition website (<https://uoregon.edu/tuition>) throughout the process, uploading documents after every TFAB meeting. The website provides information about the university's budget, including the Education and General (E&G) fund for FY2019, major anticipated cost drivers for FY2020, information on the tuition-setting process, and historical information on tuition and fees. The website also provides the schedule of TFAB meetings, with links to agendas and all relevant documents and data that the TFAB considered during deliberations. Meeting notes from each TFAB session are also posted.

### Non-Resident Undergraduate Tuition

In the current fiscal year, FY2019, the E&G fund, which covers the majority of the operations of the academic and administrative functions of the university, is projected to be in deficit, with projected revenues unable to cover projected expenditures by approximately \$5.6 million. The TFAB took the projected deficit into account when analyzing the financial position of the institution for the next year, FY2020. The TFAB also considered the anticipated FY2020 cost drivers (below), as well as projected enrollment and state appropriation levels.

The TFAB analysis of the university's financial position was discussed in the context of historical UO tuition increases and comparisons to tuition and fee costs and structures at peer public institutions.

For FY2020, the following major cost increases are projected in the E&G fund:

<b>Cost Driver</b>	<b>Estimated FY2020 Cost Increase</b>
Faculty, Staff, and Graduate Employee Salaries and Wages	\$10.6 million
Medical Insurance Costs	\$1.9 million
Retirement Costs	\$7.6 million
Institutional Expenses	\$1.0 million
Strategic Investments	\$2.0 million
Minimum Wage Increase	\$1.0 million
<b>Total Projected Cost Increases</b>	<b>\$24.1 million</b>

The total projected cost driver increases for FY2020 are higher than last year (\$16.7 million) due to the fact that the university is subject to significant Public Employees Retirement System (PERS) increases this coming year. The \$24.1 million projected increase represents a 4.45% increase on the overall E&G budget.

There were four high-level issues that the TFAB spent considerable time discussing related to undergraduate tuition rates. They included:

- (1) How much of the projected net revenue from the campus growth plan to assume when recommending tuition rates for next year;
- (2) What level of state appropriation to assume when setting tuition rates;
- (3) Options to effectively cover the anticipated FY2020 funding gap, while taking into consideration the burden on students;
- (4) An acceptable level of funding gap to assume would be covered by cost cutting and other sources of revenue (e.g., increased F&A return, increased graduate tuition revenue)

**Campus Growth:** The University has made significant investments in recruiting and the number of students applying to the UO has grown this year. However, it remains to be seen how many of these applications will translate into a commitment to attend (via payment of a deposit), which would indicate increased enrollment. If successful, campus growth initiatives could contribute as much as \$7.0 million to \$8.0 million towards closing the institution's FY2020 budget gap. However, before May, when deposit data is available, it is difficult to know how much of this revenue to count on. Seeing significant application growth, last year's TFAB recommendation was counting on approximately \$4.0 million of incremental growth revenue, which did not end up materializing. This year, however, the institution has invested additional resources in recruiting and scholarships to help with this initiative.

**State Budget Allocation:** Unfortunately, the public universities were "flat-funded" in the Governor's Recommended Budget that was released in November. Due to the way that state funding is allocated over the biennium (49% in year one / 51% in year two), flat-funding actually results in a cut to the UO of approximately \$2.7 million in FY2020. However, the governor also recommended an investment budget in which the universities would receive significant additional funding. If the full investment budget were to be put in place, it is estimated that instead of a cut, the UO would see an increase of approximately \$8.0 million in FY2020. The swing between these two outcomes is \$10.7 million and has the ability to significantly impact the institution's FY2020 budget gap.

**Burden on Students:** TFAB members spent time discussing the increasing cost of higher education and the burden this places on students. While inflation is a factor that affects pricing costs across most of our economy, it is nevertheless a growing strain on students and their families. The TFAB spent time hearing from students on the committee and at the student tuition forum on this issue and also discussing the fact that many students enter university unaware that they should realistically expect tuition to increase every year. Students expressed there is not enough education done about this reality and it can be very challenging for students, particularly if they are not preparing for it. The TFAB also discussed the fact that rising tuition places a growing strain on students and families, particularly those students who do not receive additional financial aid and must work multiple jobs, in addition to pursuing their academic studies. For such students, even small incremental increases in tuition run the risk of pricing them out of school.

**Funding Gap:** TFAB members agreed it is not reasonable to expect that tuition increases alone will alleviate the funding gap left by the current shortfall and the projected cost increases for FY2020. Retirement costs account for \$7.6 million of the projected cost increases, and many TFAB members hope that successful lobbying efforts in Salem will help generate increased state support that can be used to offset these cost increases. However, even if the institution were to be successful with both the campus growth initiative and lobbying in Salem, it is likely that there will still be a significant gap that needs to be addressed through other means, including cost cutting. TFAB members discussed the impact that cost cutting efforts have had on campus in the past (e.g., the number of NTTU who lost jobs in prior cuts) and the fact that, while necessary, it is very difficult and ends up impacting people,

programming and services. It was also shared that making additional cuts each year gets more and more difficult as the impact of cumulative cuts means that there are fewer positions to cut in the future that don't risk significantly affecting service levels.

Given all of these uncertainties, the TFAB reviewed and discussed a broad range of scenarios to understand how the level at which non-resident tuition is set might affect other factors (e.g., resident tuition, the gap needing to be covered through cost cutting). Below is a list of some of the scenarios reviewed and discussed.

Existing FY2019 E&G Fund Budget Deficit	FY2020 Projected Cost Drivers	FY2020 Change in State Appropriation	Incremental Funding – Growth Initiative	Resident Tuition Rate Increase	Non-Resident Tuition Rate Increase	Remaining Gap (to be covered by cost cutting and other revenue)
\$5.6 million	\$24.1 million	(\$2.7 million)	\$0	0.0% (\$0 per credit)	0.0% (\$0 per credit)	\$32.4 million
\$5.6 million	\$24.1 million	(\$2.7 million)	\$0	4.15% (\$9 per credit)	2.97% (\$22 per credit)	\$21.9 million
\$5.6 million	\$24.1 million	\$8.0 million	\$8.0 million	4.15% (\$9 per credit)	2.97% (\$22 per credit)	\$3.2 million
\$5.6 million	\$24.1 million	\$3.7 million	\$5.0 million	4.15% (\$9 per credit)	2.02% (\$15 per credit)	\$12.8 million
\$5.6 million	\$24.1 million	\$8.0 million	\$8.0 million	4.15% (\$9 per credit)	2.02% (\$15 per credit)	\$5.5 million
\$5.6 million	\$24.1 million	\$8.0 million	\$5.0 million	4.15% (\$9 per credit)	2.02% (\$15 per credit)	\$8.5 million
\$5.6 million	\$24.1 million	\$3.0 million	\$5.0 million	5.07% (\$11 per credit)	3.51% (\$26 per credit)	\$9.1 million
\$5.6 million	\$24.1 million	\$2.1 million	\$4.0 million	11.98% (\$26 per credit)	3.51% (\$26 per credit)	\$5.9 million
\$5.6 million	\$24.1 million	\$2.1 million	\$4.0 million	11.98% (\$26 per credit)	3.37% (\$25 per credit)	\$ 6.2 million
\$5.6 million	\$24.1 million	\$2.1 million	\$4.0 million	11.98% (\$26 per credit)	2.97% (\$22 per credit)	\$ 7.2 million
\$5.6 million	\$24.1 million	\$2.1 million	\$4.0 million	11.98% (\$26 per credit)	3.1% (\$23 per credit)	\$ 6.8 million
\$5.6 million	\$24.1 million	\$2.1 million	\$4.0 million	11.06% (\$24 per credit)	3.24% (\$24 per credit)	\$ 7.2 million

\$5.6 million	\$24.1 million	\$2.1 million	\$4.0 million	11.52% (\$25 per credit)	3.37% (\$25 per credit)	\$ 6.5 million
\$5.6 million	\$24.1 million	\$2.1 million	\$4.0 million	11.06% (\$25 per credit)	3.24% (\$24 per credit)	\$ 6.8 million
\$5.6 million	\$24.1 million	\$2.1 million	\$4.0 million	11.06% (\$25 per credit)	3.1 % (\$23 per credit)	\$ 7.2 million
\$5.6 million	\$24.1 million	\$2.1 million	\$4.0 million	11.06% (\$25 per credit)	2.97% (\$22 per credit)	\$ 7.5 million
\$5.6 million	\$24.1 million	\$8.0 million	\$4.0 million	5.07% (\$11 per credit)	2.97% (\$22 per credit)	\$ 6.4 million
\$5.6 million	\$24.1 million	\$2.1 million	\$4.0 million	5.07% (\$11 per credit)	2.97% (\$22 per credit)	\$ 12.4 million

### Proposed Non-Resident Tuition Increase

With these issues in mind, the TFAB is recommending the following non-resident undergraduate tuition increase:

- \$22 per student credit hour (SCH) increase (2.97%) from \$741 per SCH to \$763 per SCH.  
Increases tuition on a full time annual basis to \$34,335 (\$990 increase)

This tuition increase proposal, setting aside 10% of new revenue for fee remissions as is our standard practice, is expected to generate approximately \$7.4 million of incremental revenue. It is important to note that incremental tuition revenue from campus growth is not included in this figure, but the figure does assume steady enrollment from FY2019 to FY2020. It also does include an approximation of increased revenue generated by summer tuition.

In selecting the 2.97% increase for non-resident undergraduates, the TFAB is balancing the need to keep tuition increases as low as possible for students, while generating enough revenue to contribute to next year's upcoming budget gap. The committee felt that higher non-resident rate increases could make the growth initiative, particularly recruitment of new non-resident students, more difficult.

### Graduate Tuition

The deans were asked to provide their recommendations for graduate tuition in FY2020. Those increases were reviewed and discussed by the TFAB. With the exception of programs in the College of Design and the School of Law, proposed graduate tuition increases range from 0% to 5.4%.

The College of Design proposed resident tuition increases of between 4.9% and 15%, with some programs' non-resident tuition seeing no proposed increase. The 15% proposed increase for the Architecture, Landscape Architecture, and Historic Preservation programs will make the tuition rates

more reflective of the actual cost of the programs and will only affect incoming resident students who start their programs in fall 2019, all of whom will receive a tuition guarantee. The proposed tuition rate increases will not affect current students whose tuition is already guaranteed to not increase. The requested 7.1% increase in the Sports Product Design program is proposed to cover labor contract and PERS increases as well as to initiate a tuition guarantee for this program, while the 8% Planning, Public Policy and Management program increase will cover cost drivers and a new support staff position. TFAB members were generally supportive of the graduate tuition proposals in the College of Design, discussing the benefit to students of a tuition guarantee while understanding the high risk such a system poses to the university.

The School of Law is proposing a 7% increase for resident and non-resident students in their Juris Doctorate (JD), master's in law (LLM), and Conflict and Dispute Resolution master's programs. The proposed increases bring the programs more in line with market rates while still maintaining the tuition price for students at a lower rate than comparator schools. PERS is the largest cost driver for the tuition increase proposals, alongside increased student need for career development services. The law school also pays \$4,000 for each graduating JD student to complete a bar review course which, in addition to the improved career development services, assists students with employment success after graduation. Like many other public law schools in the current market environment, the UO offers scholarships that cover approximately 50% of tuition, on average, for incoming law students. Challenging market dynamics for law schools and the substantial scholarships given out by law schools have put considerable pressure on the School of Law budget in recent years. Even after the proposed tuition increases, the UO law school will continue to offer the highest ranked law program in the state for the lowest cost.

The TFAB is forwarding these increases to you for your consideration and recommends that they be adopted. The graduate tuition increases are detailed in the attached spreadsheet.

#### Fee Increases for Existing Mandatory Fees

The TFAB reviewed all of the proposals for mandatory institutional fees, with the exception of the Incidental Fee (which runs through the ASUO process).

Mandatory institutional fee recommendations are as follows:

- Building Fee: no increase
- Health Service Fee: \$35 increase per term from \$198 to \$233 (17.68%)
- Rec Center Bond Fee: no increase
- Rec Center Fee: \$2 increase per term from \$62.50 to \$64.50 (3.2%)
- EMU Fee: \$3 increase per term from \$67 to \$70 (4.48%)
- Technology Fee: no increase

The only significant mandatory fee increase that was proposed is the Health Service Fee. This is in direct response to a large increase in the number of students seeking help for mental and physical health concerns. The proposed fee increase was endorsed by the Student Health Advisory Committee and the Counseling Center's Student Advisory Board. The increased Health Service Fee aims to alleviate waiting periods at the University Health Center and University Counseling Center, ensuring services are more responsive to growing student health needs. This includes funding to fill crucial vacancies at the University Health Center, including staffing to work on all types of dietary needs, including food insecurity. Many members of TFAB endorsed the need for this fee in order to improve services to students.

The Incidental Fee proposal is developed by ASUO and does not run through TFAB review. ASUO leadership has shared that they are proposing that the Incidental Fee increase \$8.75 per term from \$250.50 per term to \$259.25 per term (3.5%).

#### Other Costs of Education Reviewed

The TFAB reviewed major changes to proposed course fees, as well as projections on housing costs for FY2020. The group discussed a few specific course fees for which concerns existed and this feedback will be incorporated into the Special Fees, Fines and Penalties process for consideration.

Additionally, in FY2020, a fee of \$25 per credit hour on fully online courses is proposed to provide improved quality and consistency of support for student success in these courses. Carol Gering, associate vice provost of online and distance education, presented to the TFAB about how the fee would work and the overall benefits. These include content designed to support the accessibility needs of diverse students, a call/chat center for single point of contact assistance for online students, expanded help desk hours (particularly nights and weekends), expanded access to exam proctoring, support for media-rich content in online courses, flexible delivery of high-demand online courses that support timely degree completion, and consistent student support around technology, processes, and procedures for all UO online classes. TFAB members were generally supportive of this new fee as (1) it will only be applied to students who choose to take online courses, and (2) the investments in online infrastructure will enable the institution to significantly expand and improve online course offerings, which in particular will help non-traditional students and employed students by providing them with more scheduling flexibility.

University Housing presented its proposed room and board rates for FY2020 to the TFAB. They are proposing moderate (average of 4%) rate increases to cover staff and student employee labor and maintenance cost increases. Even with these increases, University Housing plans to continue to offer 54 triple-occupancy room spaces, with full meal plans, for under \$10,000 and 2,300 double-occupancy spaces, with full meal plans, at price points below \$10,400 per year. TFAB members raised concerns about the overall cost of living impact of on-campus housing, particularly for first-year students who

are required to live on campus. The TFAB discussion focused heavily on the live-on requirement for students and the concern that this requirement increases the total financial burden on students. While Housing shared that its comparative data for on-campus vs. off-campus housing costs demonstrate that they are competitive, many students on the TFAB shared that their personal experience was not consistent with this data. They believe that off-campus options, particularly shared apartments, are less expensive. The TFAB spent time discussing these issues, including the goal of the live-on requirement, which is to increase retention and improve academic success for students by helping them to build community and better transition to college life. The fact that students can petition for a waiver of the live-on requirement due to cost pressures was also discussed, but many TFAB members felt that this option was not widely known by incoming students.

### Members of the 2018–2019 Tuition and Fee Advisory Board

Aimée C. Marquez	Undergraduate student
Chris Murray	Professor, Special Education and Clinical Sciences
Doneka Scott	Vice Provost for Undergraduate Education and Student Success
Erica Daley	Associate Dean of Finance and Operations, Law School
Imani Dorsey	ASUO Internal Vice President; undergraduate student
Jamie Moffitt	Vice President for Finance and Administration & CFO; co-chair
Janelle Stevenson	Graduate student
Janet Woodruff-Borden	Vice Provost and Dean of the Graduate School
Jim Brooks	Director of Financial Aid
JP Monroe	Director of Institutional Research
Kathie Stanley	Associate Vice President and Chief of Staff, Division of Student Life
Kevin Marbury	Vice President for Student Life; co-chair
Laura Leete	Associate Professor, PPPM; Senate Budget Committee member
Maria Alejandra Gallegos-Chacón	ASUO President; undergraduate student
Philip Scher	Divisional Dean for Social Sciences, College of Arts and Sciences
Sarah Nutter	Dean of the Lundquist College of Business
Stuart Laing	Director of Budget and Resource Planning
Tova Kruss	Undergraduate student

### Guests at TFAB meetings October 2018–February 2019

Odalis Aguilar	Student
Debra Beck	Executive Director, University Health Center
Marcilynn Burke	Dean of the Law School,
Ivan Chen	ASUO External Vice President
Donna Chittenden	Program Manager, Budget and Resource Planning
Zack Demars	Student, reporter for the Daily Emerald
Chaucie Edwards	Student
Lizzy Elkins	ASUO Tuition Insecurity Coordinator
Carol Gering	Associate Vice Provost of Online and Distance Education
Becky Girvan	Director, Student Government Engagement and Success
Michael Griffel	Assistant Vice President and Director of University Housing
Emily Halnon	Communications Specialist
Ryan Nguyen	Student, reporter for the Daily Emerald
Semeredin Kundin	Student
Rocco Luiere	Associate Dean of Finance, College of Design
Montse Mendez Higuera	Student
Tan Perkins	ASUO Chief of Staff
Hunter Rowe	Student
Roger Thompson	Vice President for Student Services and Enrollment Management

## 2018-20 ACADEMIC YEAR TUITION AND FEE INCREASES

ACADEMIC YEAR			
	2018-19 Tuition	2019-20 Tuition	Tuition Pct Increase
<b>GRADUATE (annual tuition and fees at the plateau rate)</b>			
<b>COLLEGE OF DESIGN</b>			
<i>Architecture &amp; Interior Architecture</i>			
Resident	20,295.00	23,334.00	15.0%
Nonresident	33,984.00	33,984.00	0.0%
<i>Landscape Architecture</i>			
Resident	16,296.00	18,735.00	15.0%
Nonresident	29,985.00	29,985.00	0.0%
<i>Historic Preservation</i>			
Resident	15,297.00	17,586.00	15.0%
Nonresident	28,986.00	28,986.00	0.0%
<i>Art</i>			
Resident	16,431.00	17,241.00	4.9%
Nonresident	17,970.00	18,861.00	5.0%
<i>Sports Product Design <sup>1</sup></i>			
Resident	32,424.00	34,719.00	7.1%
Nonresident	32,424.00	34,719.00	7.1%
<i>Planning, Public Policy, &amp; Management</i>			
Resident	16,383.00	17,697.00	8.0%
Nonresident	25,884.00	27,960.00	8.0%
<i>History of Art and Architecture</i>			
Resident	15,897.00	16,698.00	5.0%
Nonresident	25,128.00	26,391.00	5.0%
<b>COLLEGE OF ARTS AND SCIENCES</b>			
<i>MA/Phd</i>			
Resident	14,526.00	14,958.00	3.0%
Nonresident	26,028.00	26,811.00	3.0%
<b>COLLEGE OF EDUCATION</b>			
<i>Base</i>			
Resident	17,514.00	18,243.00	4.2%
Nonresident	24,858.00	26,127.00	5.1%
<i>Supervision</i>			
Resident	18,867.00	19,650.00	4.2%
Nonresident	26,184.00	27,534.00	5.2%
<i>Clinical</i>			
Resident	20,535.00	21,399.00	4.2%
Nonresident	27,771.00	29,202.00	5.2%
<i>DEd</i>			
Resident	17,514.00	18,243.00	4.2%
Nonresident	24,858.00	26,127.00	5.1%
<b>SCHOOL OF JOURNALISM AND COMMUNICATION</b>			
<i>MA/PhD</i>			
Resident	15,552.00	16,011.00	3.0%
Nonresident	25,164.00	25,164.00	0.0%
<i>Strategic Communication</i>			
Resident	16,983.00	17,739.00	4.5%
Nonresident	24,435.00	24,435.00	0.0%
<i>Multimedia</i>			
Resident	16,983.00	17,739.00	4.5%
Nonresident	24,435.00	24,435.00	0.0%

*Advertising and Brand Management*

Resident	15,552.00	16,011.00	3.0%
Nonresident	25,164.00	25,164.00	0.0%

**SCHOOL OF LAW***JD*

Resident	33,282.00	35,604.00	7.0%
Nonresident	41,886.00	44,820.00	7.0%

*LLM*

Resident	41,346.00	44,244.00	7.0%
Nonresident	41,346.00	44,244.00	7.0%

*CRES*

Resident	20,466.00	21,897.00	7.0%
Nonresident	27,648.00	29,592.00	7.0%

**COLLEGE OF BUSINESS***PhD*

Resident	14,364.00	14,364.00	0.0%
Nonresident	24,057.00	24,057.00	0.0%

*MBA*

Resident	28,377.00	29,235.00	3.0%
Nonresident	39,273.00	40,461.00	3.0%

*Accounting*

Resident	19,527.00	19,527.00	0.0%
Nonresident	27,627.00	27,627.00	0.0%

*Finance*<sup>2</sup>

Resident	24,117.00	24,840.00	3.0%
Nonresident	31,617.00	32,565.00	3.0%

*Oregon Executive MBA*<sup>3</sup>

Resident	38,418.00	40,500.00	5.4%
Nonresident	38,418.00	40,500.00	5.4%

*Sports Product Management*<sup>4</sup>

Resident	37,917.00	39,000.00	2.9%
Nonresident	43,917.00	45,000.00	2.5%

*Sports Product Management (ONLINE)*

Resident		31,416.00	
Nonresident	NEW	36,417.00	

**SCHOOL OF MUSIC AND DANCE***MA/PhD*

Resident	14,382.00	14,808.00	3.0%
Nonresident	22,371.00	23,490.00	5.0%

**KNIGHT CAMPUS***Industrial Internship Program*<sup>5</sup>

Resident	19,440.00	19,980.00	2.8%
Nonresident	19,440.00	19,980.00	2.8%

*Notes:*

(1) Students in Sports Product Design pay Portland-based fees.

(2) The cost reported in the table for the Master's in Finance is for three terms of a four term program.

(3) The cost reported in the table for the Executive MBA is for three terms of a six term program.

Students in the program pay Portland-based fees. AY19 costs are 3.9% higher than AY18.

(4) The cost reported in the table for the Sports Product Management is for three terms of a five term program and Sports Product Management (ONLINE) is for three terms of a eight term program.

Students in the program pay Portland-based fees. No cost increase over AY18.

(5) Costs calculated at 12 credit hours. During the academic year, IIP students pay off-campus fees.

(6) Students will be charged and additional \$20 per credit hour for undergraduate courses taken in the Business School.

Source: UO Office of Institutional Research.

For additional information, please contact J.P. Monroe (jpmonroe@uoregon.edu ) at 541-346-2085.

## **Appendix 2 - Sensitivity Analysis**

### **Public University Support Fund (PUSF) and Growth Scenarios**

#### **DRAFT ESTIMATES**

***Question: How much of a recurring budget gap would exist if the resident undergraduate tuition increase were limited to 5%?***

- Assumes \$11.6 million of budget cuts implemented in FY20

	\$40.5 million increase to PUSF (co-chairs budget)	\$60 million increase to PUSF	\$80 million increase to PUSF	\$120 million increase to PUSF
90% Success on Non Resident Growth Target (+163 NR)	(\$15.3 million)	(\$13.5 million)	(\$11.6 million)	(\$7.5 million)
95% Success on Non- Resident Growth Target (+277 NR)	(\$11.9 million)	(\$10.1 million)	(\$8.2 million)	(\$4.1 million)
100% Success on Non- Resident Growth Target (+390NR)	(\$8.4 million)	(\$6.6 million)	(\$4.7 million)	(\$0.6 million)

***Question: What would it take to balance remaining FY20 budget gap solely through resident undergraduate tuition increases?***

- Assumes \$11.6 million of budget cuts implemented in FY20

	\$40.5 million increase to PUSF (co-chairs budget)	\$60 million increase to PUSF	\$80 million increase to PUSF	\$120 million increase to PUSF
90% Success on Non Resident Growth Target (+163 NR)	22.5%	20.5%	17.5%	13.5%
95% Success on Non- Resident Growth Target (+277 NR)	18.5%	16.5%	14.0%	9.0%
100% Success on Non- Resident Growth Target (+390 NR)	15.0%	12.5%	10.0%	5.0%

***NOTE: A 1% tuition increase on resident undergraduate tuition generates approximately \$750,000. The FY20 PERS increase is estimated at \$7.1M. Thus, the PERS increase alone would equal a 9.47% increase in resident undergraduate tuition if that cost were to be borne entirely by this means.***

### Appendix 3 - Tuition Calculator

#### Tuition per SCH

	Resident	Nonresident
2018-19 Tuition	\$ 217	\$ 741
Possible Tuition Increase	\$ 24	\$ 22
Increase as %	11.06%	2.97%
New Tuition per SCH	\$ 241	\$ 763

#### AY Revenue Estimate

	Resident	Nonresident
FY19 Estimate*	\$ 65,200,000	\$ 241,300,000
FY20 Est w/o growth*	\$ 72,411,060	\$ 248,464,103
Total Est Rev w summer*	\$ 341,100,891	
Total Est Tuition INCREASE*	\$ 15,700,891	

\* After Remissions

#### Full Time Tuition

	Resident	Nonresident
New Full Time (45 SCH)	\$ 10,845	\$ 34,335
Increase in Full Time	\$ 1,080	\$ 990

Summer 2018	\$ 18,900,000
Est New Sum Rev	\$ 1,325,728
\$ (23,600,000)	Cost Drivers
\$ (10,400,000)	Current Shortfall
\$ 15,700,891	New Tuition Rev
\$ 3,000,000	New State Appr
\$ 11,600,000	Announced Cuts
\$ (3,699,109)	Net
\$ 9,200,000	Growth Estimate
\$ (7,000,000)	Decline - Intl Students
\$ 830,089	Extra Financial Aid
\$ (2,329,198)	Net with growth

#### **Appendix 4: Scenarios Reviewed by the TFAB at May 7, 2019 Meeting**

##### Assumptions:

- Updated FY2019 E&G fund projected budget deficit: \$10.4 million
- Updated FY2020 projected cost drivers: \$23.6 million
- Announced cuts to UO budget: \$11.6 million
- Incremental funding – growth initiative: \$ 9.2 million
- Projected decline in international students: - \$ 7.0 million
- Non-resident tuition increase of 2.97% (approved by the Board)

NB: Initial scenarios reviewed by TFAB did not consider additional support funds. Later scenarios considered the idea of new support funds for low-income residents not covered by PathwayOregon. This is shown in the bottom part of the table below.

<b>Public University Support Fund (PUSF) level</b>	<b>Anticipated UO funding from PUSF (using HECC allocation model)</b>	<b>Resident Tuition Rate Increase: %</b>	<b>Resident Tuition Rate Increase: \$ per SCH</b>	<b>New Resident Tuition for Full Time (45 SCH)</b>	<b>New Support Funds for Low Income Residents not Covered by PathwayOregon</b>	<b>Remaining Gap</b>
\$70 million	\$3.0 million	4.61%	\$10	\$10,215	-	\$6.3 million
\$80 million	\$3.9 million	4.61%	\$10	\$10,215	-	\$5.4 million
\$70 million	\$3.0 million	7.83%	\$17	\$10,530	-	\$3.9 million
\$70 million	\$3.0 million	8.29%	\$18	\$10,575	-	\$3.6 million
\$70 million	\$3.0 million	9.68%	\$21	\$10,710	-	\$2.5 million
\$70 million	\$3.0 million	12.9%	\$28	\$11,075	-	\$123K
\$70 million	\$3.0 million	5.07%	\$11	\$10,260	-	\$6.0 million
\$70 million	\$3.0 million	3.23%	\$7	\$10,080	-	\$7.3 million
\$120 million	\$8.0 million	4.61%	\$10	\$10,215	-	\$1.3 million
\$80 million	\$3.9 million	4.61%	\$10	\$10,215	-	\$5.4 million
\$60 million	\$2.0 million	12.44%	\$27	\$10,980	-	\$1.5 million
\$100 million	\$6.0 million	6.45%	\$14	\$10,395	-	\$1.9 million
\$110 million	\$7.0 million	5.53%	\$12	\$10,305	-	\$1.6 million
\$90 million	\$5.0 million	7.35%	\$16	\$10,485	-	\$2.3 million
\$80 million	\$3.9 million	9.68%	\$21	\$10,710	-	\$1.6 million
\$60 million	\$2.0 million	12.9%	\$28	\$11,025	-	\$1.1 million
\$70 million	\$3.0 million	9.68%	\$21	\$10,710	\$727K	\$3.3 million
\$60 million	\$2.0 million	9.68%	\$21	\$10,710	\$727K	\$4.3 million
\$60 million	\$2.0 million	11.52%	\$25	\$10,890	\$864K	\$3.0 million
\$70 million	\$3.0 million	11.06%	\$24	\$10,845	\$830K	\$2.3 million
\$80 million	\$3.9 million	9.68%	\$21	\$10,710	\$727K	\$2.4 million
\$90 million	\$5.0 million	7.83%	\$17	\$10,530	\$589K	\$2.5 million
\$100 million	\$6.0 million	6.45%	\$14	\$10,395	\$486K	\$2.4 million
\$110 million	\$7.0 million	5.53%	\$12	\$10,305	\$417K	\$2.0 million
\$120 million	\$8.0 million	4.61%	\$10	\$10,215	\$348K	\$1.7 million

### **Tuition and Fee Advisory Board of the University of Oregon Meeting Summary | October 9, 2018**

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The 2018–2019 Tuition and Fee Advisory Board (TFAB) of the University of Oregon met at the Miller Room (107) in the Erb Memorial Union on the UO's Eugene campus on October 9, 2018. Below is a summary of the meeting; documents reviewed during the meeting are available [online](#).

**Attending:** Odalis Aguilar (guest), Jim Brooks, Imani Dorsey, Maria Alejandra Gallegos-Chacon, Emily Halnon (guest), Tova Kruss, Stuart Laing, Kevin Marbury (co-chair), Jamie Moffitt (co-chair), J.P. Monroe, Chris Murray, Ryan Nguyen (guest), Sarah Nutter, Philip Scher, Doneka Scott, Kathie Stanley, Janelle Stevenson, Janet Woodruff-Borden

**Staff:** Debbie Sharp (Office of the VPFA)

**Welcome and introductions.** Co-chair Kevin Marbury, vice president for student life, welcomed the group and invited all participants to introduce themselves. The 2018–2019 TFAB membership list is available [online](#); all meetings are open to non-members.

**Charge.** Co-chair Jamie Moffitt, vice president for finance and administration/chief financial officer, walked the group through the [TFAB Guiding Principles document](#). She provided the charge to the group, explaining that TFAB is an advisory group to the president, who makes recommendations to the Board of Trustees, which is responsible for decisions regarding tuition. If the Board decides to raise undergraduate, resident tuition by more than 5%, this decision would need to be approved by the Higher Education Coordinating Committee (HECC). Moffitt explained that TFAB reviews all proposals for graduate tuition increases, mandatory fee increases, housing cost increases, and major course fee increases. The advisory group is also responsible for generating a recommendation on undergraduate tuition rates.

**Calendar.** Moffitt discussed the [anticipated TFAB meeting calendar](#) for the year, explaining that the October and November meetings will focus on background budget and cost information, and will also provide members with time to prepare for the student forum(s). Moffitt guided TFAB members through the rest of the calendar, including weekly meetings in January and early February for the student forum(s) and reviewing fee proposals.

Moffitt noted that the President has made a change to the tuition proposal schedule for this year given the significant uncertainty facing the institution. This coming year will be a challenging year as PERS rates are going up significantly and many important revenue and cost factors including state appropriation, enrollment projections, as well as several labor contracts will not be complete when tuition needs to be set. For this reason, and to avoid having to set a very large initial resident undergraduate tuition rate, the President has asked that TFAB wait to provide him with a recommendation about resident undergraduate tuition rates until early May, when better information should be available about (1) May enrollment deposits / projected enrollment, and (2) likely state appropriation levels. See [President Schill's September 21, 2018 memo to the Board of Trustees](#) for more details.

In early February, TFAB will make recommendations to the President related to graduate tuition, mandatory fees, housing costs, significant course fees, and non-resident, undergraduate tuition rates. The advisory board will continue to meet in March, April, and May and—using enrollment and other information available during that time period—will develop recommendations for the president regarding resident undergraduate tuition in early May. The President will then go through normal campus processes to review the advice and counsel of TFAB, receive feedback from the campus community, and provide the Board with a recommendation related to undergraduate resident tuition rates in early June.

**Historical and comparative information.** J.P. Monroe, director of institutional research, Office of Institutional Research, provided an overview of the historical and comparative data regarding the relationship between the amount of resident tuition and mandatory enrollment fees charged by the UO and the amount of state appropriation that the Higher Education Coordinating Commission (HECC) allocates to the UO. He also provided other detailed historic and comparative data for the advisory board. This information is available [online](#).

**Budget information.** Moffitt gave a brief overview of the UO budget structure, explaining the distinction between the education and general (E&G) funds and other funds. The overview is available [online](#).

**Adjournment.** The meeting adjourned at 1:30 p.m.

## Tuition and Fee Advisory Board of the University of Oregon

### Meeting Summary | October 30, 2018

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The 2018–2019 Tuition and Fee Advisory Board (TFAB) of the University of Oregon met at the Miller Room (107) in the Erb Memorial Union on the UO's Eugene campus on October 30, 2018. Below is a summary of the meeting; documents reviewed during the meeting are available [online](#).

**Attending:** Odalis Aguilar (guest), Jim Brooks, Imani Dorsey, Maria Alejandra Gallegos-Chacon, Emily Halnon (guest), Tova Kruss, Stuart Laing, Kevin Marbury (co-chair), Jamie Moffitt (co-chair), J.P. Monroe, Chris Murray, Philip Scher, Kathie Stanley, Janelle Stevenson

**Staff:** Debbie Sharp (Office of the VPFA)

**Welcome and introductions.** Co-chair Kevin Marbury, vice president for student life, welcomed the group and invited all participants to introduce themselves.

**Budget information.** Co-chair Jamie Moffitt, vice president for finance and administration/chief financial officer gave an overview of the budget of the University of Oregon. Key points discussed included the increase in tuition costs for students as a result of decreased funding from the state; the increasing dependence on non-resident tuition; and the projected rise in costs associated with funding PERS (Public Employees Retirement System). Participants discussed the way the UO PERS costs are calculated; how Oregon compares to other states with underfunded public employee retirement plans; and how long PERS increases are anticipated to continue.

**PUSF and funding mechanisms.** Moffitt provided an overview of the Public University Support Fund (PUSF), explaining the mechanisms by which moneys are appropriated by the Legislative Assembly to the Higher Education Coordinating Commission for allocation to public universities. Participants discussed the three components of the PUSF at length: activity-based funding, outcomes-based funding, and mission differentiation funding. Other operating funds outside of the PUSF were also discussed, including state programs, statewide public service programs, and Oregon sports lottery funding. Dialogue focused on working collectively to increase the size of the funding pool and encouraging reviews of the cost-weighting factors and Student Success Completion Model.

**Adjournment.** The meeting adjourned at 1:15 p.m.

The 2018–2019 Tuition and Fee Advisory Board (TFAB) of the University of Oregon met in the Johnson Hall Conference Room at 8:30am on the UO’s Eugene campus on November 9, 2018. Below is a summary of the meeting; documents reviewed during the meeting are available [online](#).

**Attending:** Odalis Aguilar (guest), Ivan Chen (guest), Erica Daley, Lizzy Elkins (proxy for Imani Dorsey), Tova Kruss, Stuart Laing, Kevin Marbury (co-chair), Aimée C. Marquez, Montse Mendez (guest), Jamie Moffitt (co-chair), J.P. Monroe, Ryan Nguyen (guest), Sarah Nutter, Hunter Rowe (guest), Philip Scher, Janelle Stevenson, Janet Woodruff-Borden

**Staff:** Debbie Sharp (Office of the VPFA)

**Welcome and introductions.** Co-chair Kevin Marbury, vice president for student life, welcomed the group and invited all participants to introduce themselves.

**Growth initiative.** Co-chair Jamie Moffitt, vice president for finance and administration/chief financial officer, spent the majority of the meeting leading the group through a presentation and discussion of budget issues, including cost drivers, tuition revenue, and potential ways to close budgetary gaps, including campus growth. She shared with TFAB the Fall 2017 presentation that was made to the UO Board of Trustees regarding Campus Growth.

Cost drivers reviewed included faculty and staff salary and wages, GE salary and benefits, medical costs, the rising costs of PERS (Public Employees Retirement System), institutional expenses, and strategic investments and investments in tenure track faculty.

Discussions around revenue noted the increasing reliance on tuition—particularly nonresident tuition—in the face of declining state appropriations. Moffitt detailed various ways that the institution has been working to close the future projected budget gap, including launching new graduate programs, expanding online offerings, and instituting a number of cost cutting initiatives. However, while each of these efforts helps contribute to the financial stability of the institution, none of them is likely to be large enough to close the future funding gap created by expected PERS increases.

Finally, Moffitt discussed campus growth as another potential way to deal with budgetary issues. The current campus growth plan involves adding 3,000 students over a period of eight years, with required corollary investment in recruiting, a classroom and faculty office building, expanded residence hall capacity and additional faculty and staff. If successful, this plan would help close the projected budget gap. However, one of the issues that TFAB will need to discuss is the risk associated with counting on this growth plan. This is one of the reasons the decision was made to shift the timing of the undergraduate, resident tuition recommendation until information is available about student deposits and projected fall 2020 enrollment. The presentation is available [online](#).

**Enrollment update.** Moffitt gave an overview of undergraduate enrollment at the University of Oregon, sharing enrollment numbers for Fall 2016, Fall 2017, and Fall 2018. These numbers were discussed in terms of freshmen, transfers, continuing students, and total undergraduates. The data is available [online](#).

**January–February 2019 meeting schedule.** Moffitt shared the draft TFAB meeting schedule for January–early February 2019, which is available [online](#).

**Adjournment.** The meeting adjourned at 9:50am.

## Tuition and Fee Advisory Board of the University of Oregon Meeting Summary | November 16, 2018

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The 2018–2019 Tuition and Fee Advisory Board (TFAB) of the University of Oregon met in the Johnson Hall Conference Room at 8:30am on the UO's Eugene campus on November 16, 2018. Below is a summary of the meeting; documents reviewed during the meeting are available [online](#).

**Attending:** Jim Brooks, Erica Daley, Zack Demars (guest), Lizzy Elkins (guest), Emily Halnon (guest), Tova Kruss, Stuart Laing, Laura Leete, Sarah Nutter, Kevin Marbury (co-chair), Aimée C. Marquez, Jamie Moffitt (co-chair), J.P. Monroe, Chris Murray, Kathie Stanley, Janelle Stevenson, Janet Woodruff-Borden

**Staff:** Debbie Sharp (Office of the VPFA)

**Welcome and introductions.** Co-chair Jamie Moffitt, vice president for finance and administration/ chief financial officer, welcomed the group and invited all participants to introduce themselves.

**Cost drivers analysis.** Moffitt reviewed the major FY2020 Education and General (E&G) fund cost drivers, explaining that these figures do not include all costs that will increase at the university (e.g., decisions made by individual departments to invest in new projects), but rather the large known costs such as negotiated salary increases with labor unions and health care costs that generally increase each year. She reminded the group that the E&G Fund is supported by tuition and state appropriation and that in the current year (FY19) there is likely to be a gap between projected revenue and projected expenses. This increases financial pressure to either cut costs or find other ways to cover the gap because while the University can handle a deficit for a year or two, it cannot operate on an ongoing basis with a deficit. Moffitt explained that the projected cost increases for the E&G fund for FY20 total \$24.1 million, which is an overall percentage increase of 4.45%. She also noted that departments funded outside of the E&G fund (e.g., Housing, Athletics, EMU, etc.) will face this same set of cost drivers, but will be responsible for covering these increases with their own funds. Tuition funds will not be used to cover these increases. The FY2020 E&G Cost Driver presentation is available [online](#).

**Cost management plan.** Moffitt then provided participants a plan for how the governing board and UO leadership are managing costs on an ongoing basis, in accordance with House Bill 4141. The plan details five major efforts being made on an ongoing basis by the Board of Trustees and university administration. Explaining that the Board annually reviews projected expenditures for the upcoming fiscal year, Moffitt shared a [document](#) showing FY19 projected operating budget expenditures and revenues. Moffitt then provided the [FY18 E&G Fund Year in Review](#) and the [Finance Summary for Q4 FY2018](#), explaining that the Board of Trustees quarterly reviews financial projections against actual spending rates. TFAB members learned that the Board of Trustees receives benchmarking information comparing UO staffing levels to those of public peer institutions. Finally, Moffitt explained that the Board of Trustees and leadership regularly discuss cost-saving initiatives and review costs, including state-mandated costs such as PERS (Public Employees Retirement System) and PEBB (Public Employees Benefit Board). The cost management plan is available [online](#).

**Undergraduate - tuition calculator.** Moffitt provided an overview of an undergraduate tuition calculator that TFAB will be using extensively in discussions during future meetings. The calculator assumes stable enrollment patterns and provides TFAB members with the ability to assess how various combinations of assumptions (e.g., state appropriation levels, resident tuition rates, non-resident tuition rates, enrollment growth, etc.) affect the institution's overall financial position.

**Planning for Student Forum(s).** Finally, TFAB members started planning for the January student forum. The session will most likely be held one night during the second week of winter term to ensure that as many students as possible can attend. The purpose of the student forum is to provide students with information about the university budget, FY2020 costs drivers, and other tuition and fee related information, and to gather input from them. TFAB members spent time discussing what information would be most useful to share with students during this session.

**Adjournment.** The meeting adjourned at 10:00am.

## Tuition and Fee Advisory Board of the University of Oregon

### Meeting Summary | January 11, 2019

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The 2018–2019 Tuition and Fee Advisory Board (TFAB) of the University of Oregon met in the Johnson Hall Conference Room at 4:00pm on the UO's Eugene campus on January 11, 2019. Below is a summary of the meeting; documents reviewed during the meeting are available [online](#).

**Attending:** Odalis Aguilar (guest), Jim Brooks, Erica Daley (by phone), Zack Demars (guest), Imani Dorsey, Lizzy Elkins (guest), Maria Alejandra Gallegos-Chacón, Becky Girvan (guest), Tova Kruss, Stuart Laing, Laura Leete, Sarah Nutter, Kevin Marbury (co-chair), Aimée C. Marquez, Jamie Moffitt (co-chair), J.P. Monroe, Chris Murray, Tan Perkins (guest), Philip Scher, Doneka Scott, Kathie Stanley, Janelle Stevenson, Janet Woodruff-Borden

**Staff:** Debbie Sharp (Office of the VPFA)

**Welcome and introductions.** Co-chair Jamie Moffitt, vice president for finance and administration/ chief financial officer, welcomed the group and invited all participants to introduce themselves.

**TFAB schedule in January and February.** Moffitt reviewed the [revised draft January-February TFAB meeting schedule](#), emphasizing that agenda items are likely to shift during this period of weekly meetings. She gave an overview of the process, which involves five TFAB meetings in January and February and a Student Forum. At the end of January the TFAB co-chairs will draft a recommendation memo to the president regarding the topics discussed by TFAB. The Committee will have an opportunity to provide suggested edits to the memo to ensure that it accurately reflects the advisory group's activities and discussion. Moffitt noted for the group that they will be under a tight timeline to review the memo given the Board of Trustees meeting schedule.

**EMU fee proposal.** Kevin Marbury, vice president for Student Life, presented the FY2020 fee projection proposal for the Erb Memorial Union (EMU), which is available [online](#). Marbury outlined the request, which is for a \$3.00 increase to help cover bond payments on the EMU facility. The balance of the anticipated shortfall will be covered by other revenue. Questions raised by TFAB members include how the EMU budget operates, what would happen to the increased EMU fee if enrollment dramatically increased, and how this increase compares to general increase requests to TFAB. Marbury explained that the EMU is not requesting funds to completely cover the shortfall and that reserve funds are being used to offset increases. Finally, Marbury reminded the group that the EMU did not request an increase last year.

**Physical Education and Recreation fee proposal.** Kevin Marbury went on to present the 2019–20 fee projection proposal for the Department of Physical Education and Recreation (PEREC), which is available [online](#). The department is requesting a \$2.00 increase to the Rec Center Fee, which will help to cover increases in staff wages, benefits, and overhead assessment rates. Similar to the EMU, PEREC did not request an increase last year. The department plans to cover some increases with operational reserves and increased self-generated revenue. TFAB members asked questions around student enrollment assumptions, use of the rec center related to enrollment, and whether it is feasible to target increased

funding (and use) of the facility by community members—in the latter case, Marbury explained that students are the first priority for the department.

**Governor's recommended budget.** Moffitt took some time to give an overview of the Governor's Recommended Budget (GRB) as well as a second "investment budget" that the governor proposed. She explained that in the GRB rather than receiving an increase, universities in Oregon were "flat funded," meaning that the funding level for FY20–FY21 would be the same as the funding level for FY18–FY19. This means that no increases were provided for cost drivers such as salary increases, PERS, or PEBB. Additionally, due to the way the funds are distributed in the GRB (49% in the first year of the biennium and 51% in the second year of the biennium), the university would actually see a cut of around \$2.7 million in state appropriation between this year and next year. She further noted that if the governor's investment budget passes, the PUSF (Public University Support Fund) would receive an estimated \$120 million more (for seven campuses for both years of the biennium), which would cover the increased PERS expenses. Moffitt noted that this situation leaves the UO with a lot of uncertainty and that in FY20, the university is looking at a funding gap of approximately \$32.4 million.

**Planning for the Student Forum.** For the remainder of the meeting, TFAB members focused on planning for the student forum, scheduled for Tuesday, January 15, 6pm–7:30pm in the Redwood Auditorium of the EMU. The group decided to open with a welcome and introductions, follow with a budget presentation, spend some time on table discussions noting students' feedback, and then end with a short information session on legislative advocacy.

**Adjournment.** The meeting adjourned at 5:30pm.

The 2018–2019 Tuition and Fee Advisory Board (TFAB) of the University of Oregon met in the Johnson Hall Conference Room at 3:00pm on the UO's Eugene campus on January 18, 2019. Below is a summary of the meeting; documents reviewed during the meeting are available [online](#).

**Attending:** Jim Brooks, Marcilynn Burke (guest), Erica Daley, Zack Demars (guest), Imani Dorsey, Lizzy Elkins (guest), Maria Alejandra Gallegos-Chacón, Emily Halnon (guest) Tova Kruss, Stuart Laing, Laura Leete, Rocco Luiere (guest), Sarah Nutter, Kevin Marbury (co-chair), Aimée C. Marquez, Jamie Moffitt (co-chair), Doneka Scott, Kathie Stanley, Janet Woodruff-Borden

**Staff:** Debbie Sharp (Office of the VPFA)

**Welcome and introductions.** Co-chair Kevin Marbury, vice president for student life, welcomed the group and invited all participants to introduce themselves.

**Student Forum Feedback.** Kevin Marbury thanked everyone for their participation as facilitators and notetakers during the January 15<sup>th</sup> student forum and asked for feedback on the event. Participants commented on the successful ASUO and Student Life outreach and coverage in *The Daily Emerald* in contributing to record student turnout for a TFAB student forum (approximately 120 people). Feedback on forum table discussions included: rumors concerning a potential 20% tuition increase; requests to improve the usability of the [TFAB website](#); finding ways to increase student understanding of the tuition-and-fee-setting process; FAQs linked to relevant cost drivers and tuition-related data; improved information on Pathway and scholarships; outline of the TFAB process online; and anticipating rising costs of attending university. A summary of Student Forum feedback is available [online](#).

**Revised Meeting Schedule.** Jamie Moffitt, vice president for finance and administration and CFO, went briefly through the revised TFAB meeting schedule, explaining that staff would do their best to get members relevant materials to review at least 24–48 hours in advance.

**Graduate tuition summary.** Moffitt briefly discussed the overview of graduate tuition proposals, which is available [online](#). She explained that unlike undergrad tuition, where there is one base schedule for residents and non-residents, the graduate programs each have their own tuition schedules as they operate in distinct markets and each program has its own cost structure. Moffitt noted that there are close to 50 different graduate tuition schedules. She shared a summary of all of the proposed tuition increases for the graduate programs and noted that representatives from the College of Design and Law School had been invited to speak to TFAB because their proposed rates were on the higher end of the spectrum of percentage increases.

*College of Design.* Rocco Luiere, Associate Dean of Finance in the College of Design, explained that there are seven different graduate programs in the College of Design, each with two different billing rates. Luiere shared that for Architecture, Landscape Architecture, and Historic Preservation, the proposed increase of 15% is for resident students only, will only affect students starting in Fall 2019—all of whom will have a tuition guarantee, and brings the program in line with market rates. It will not affect current students. He noted that the Sports Product Design program is asking for an increase of 7.1% to cover labor contract and PERS increases. Luiere explained that the PPPM program is requesting an 8% tuition increase to cover cost drivers and a staff position providing basic departmental support for faculty in the program.

*Law School.* Marcilynn Burke, Dean of the Law School, presented tuition increase proposals for the JD, LLM, and Conflict Resolution programs, noting that UO has the highest ranked law school in the state of Oregon and is providing the best law education at the lowest cost. She noted that PERS is the largest cost driver for the tuition increase proposals. She also explained that the Law School pays \$4,000 for each graduating JD student to complete a bar review course and that increased student needs require improved career development services—to increase assistance for students to find jobs after graduation. Dean Burke noted that even after the increase, the UO Law School residential tuition will still be less than comparative schools. Discussions ensued concerning market changes for law and the substantial scholarships given out by law schools—the UO discount rate covers about 50% of tuition on average. Moffitt also shared that the budget for the law school has been extremely challenging in recent years given market dynamics.

Moffitt asked TFAB members to review the summary of graduate tuition proposals in case members would like any other colleges or schools to present their proposals to TFAB. Janet Woodruff-Borden, Dean of the Graduate School, explained that of the 3,700 graduate students, many are graduate employees (GEs) and receive full tuition remissions. Moffitt further noted that in recent years graduate enrollment has not been very stable so graduate programs represent an unpredictable source of revenue for the university (i.e. in some years despite a graduate tuition rate increase, overall graduate tuition revenue did not rise). Moffitt then reiterated that TFAB is not responsible for formally approving graduate tuition proposals, however, any issues or concerns that TFAB members raise related to the proposals will be noted in the memo to the President. Members discussed the concept of a tuition guarantee, arguing that it helps students have some stability, but noted that it presents a very high risk to the university. All 2019–2020 graduate tuition proposals are available [online](#).

**More Student Forum Feedback.** The group returned to discussing feedback from the January 15<sup>th</sup> student forum, particularly regarding undergraduate non-resident tuition, which TFAB will make a recommendation on separately from undergraduate resident tuition. Also under discussion was the fact that most scholarships are awarded on a flat dollar amount basis, and that students may be unaware of increasing annual costs and the fact that many scholarships are not indexed to tuition.

**Adjournment.** The meeting adjourned at 4:32pm.

## Tuition and Fee Advisory Board of the University of Oregon Meeting Summary | January 23, 2019

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The 2018–2019 Tuition and Fee Advisory Board (TFAB) of the University of Oregon met in the Johnson Hall Conference Room on the UO's Eugene campus at 8:30am on January 23, 2019. Below is a summary of the meeting; documents reviewed during the meeting are available [online](#).

**Attending:** Odalis Aguilar (guest), Deb Beck (guest), Jim Brooks, Donna Chittenden (guest), Erica Daley, Zack Demars (guest), Imani Dorsey, Chaucie Edwards (guest), Lizzy Elkins (guest), Maria Alejandra Gallegos-Chacón, Carol Gering (guest) Michael Griffel (guest), Emily Halnon (guest), Tova Kruss, Kevin Marbury (co-chair), Aimée C. Marquez, Jamie Moffitt (co-chair), JP Monroe, Chris Murray, Tan Perkins (guest), Doneka Scott, Janelle Stevenson, Kathie Stanley, Roger Thompson (guest), Janet Woodruff-Borden

**Staff:** Debbie Sharp (Office of the VPFA)

**Welcome and introductions.** Co-chair Jamie Moffitt, vice president for finance and administration and CFO, welcomed the group and invited all participants to introduce themselves. She noted that the meeting would commence with a discussion of housing fees, which is not a mandatory fee but affects a large number of students. Moffitt suggested TFAB next consider the summary list of 2019–20 mandatory fees and proposals received and the Student Health Service Fee proposal. She then suggested TFAB review the special fees and fines, and course fees, leaving time for Carol Gering, associate vice president of online and distance education in the provost's office, to explain and take questions on the proposed new online course fee. Finally, Moffitt noted that she hoped to reserve time for a discussion on undergraduate tuition.

**Housing fee proposal.** Roger Thompson, vice president for student services and enrollment management introduced the housing fee proposal, noting that across the division, not many fee increases were being proposed. He explained that during the last two years, 50% of the housing inventory has been held at the same rate, which has resulted in the UO having the lowest room and board rates in the Pac-12. He further noted that even after the proposed housing increase, they expect the UO rates to still be the lowest in the Pac-12. Michael Griffel, assistant vice president and director of university housing, gave an overview of the various room types and dining plan options, which aim to give students as many options as possible to meet their needs and ability to pay.

Questions raised by TFAB members included specifics about meal plans, a first-year student's ability to use cost as a basis for petitioning to live off-campus, the student success rationale behind the on-campus residence requirement for freshmen, and the correlation between increasing housing rates and improved quality and availability of student housing. Thompson clarified that rates are increasing because 50% of the housing stock has had no increases for two years while there have been increases in labor costs for professional and student staff, as well as significant maintenance costs. Discussions ensued concerning market analysis comparisons regarding local housing costs and the importance of ensuring that UO housing remains competitive. Thompson explained that housing fees help pay for the maintenance costs of older buildings as well as the phased demolishing, updating, and rebuilding of

new buildings He noted that the unit is doing everything possible to keep costs down and to avoid significantly raising rates for students.

Concerns were raised by some TFAB members about differences between on-campus and off-campus housing costs. In particular, many students were concerned about the overall cost of on-campus housing, particularly given the live-on requirement for first year students. Discussion centered around the competitiveness of the rate structure of on-campus housing vs. off campus options. TFAB also discussed that while students can apply for a waiver to the live-on requirement based on cost considerations, this option is not well known. The [housing fee proposal](#) and supplemental documents are available [online](#).

**Mandatory fees.** Moffitt shared the 2019–20 Fee Increase Summary document (available [online](#)), explaining that the document shows the fee rate proposals received to date, including percentage and dollar changes. She reminded TFAB members that the School of Law is on a semester system (hence the larger per semester charges) and that the incidental fee is still being decided—through an ASUO process.

**Health and counseling fee proposal.** Thompson summarized the Student Health Service Fee proposal, explaining that the request is for \$35 per term and results directly from increasing concern around mental and physical health issues. He explained that more students are seeking help for mental health issues and that the ASUO concerns around physical and mental health were taken into consideration. Thompson noted that the Student Health Advisory Committee and Student Advisory Board endorsed the proposed fee increase. TFAB discussions noted the scales of charts used to depict health measures, the waiting period at the University Health Center, the need to be responsive to student demands, and the importance of intersectionality in health issues. The Student Health Fee proposal is [online](#).

**Course fees.** Moffitt explained that TFAB reviews a summary of the class-related fees for the 2019–20 academic year and 2020 summer session (available [online](#)). She noted that there are open public hearings on the full book of fees and that the Budget and Resource Planning unit provides the summary of class-related fees. Donna Chittenden, program manager with Budget and Resource Planning, gave an overview of the document, noting the cancelled fees, new fees, and amended fees. She highlighted one proposed fee: an \$80 fee proposed by International Studies to purchase a DNA genetic testing and analysis kit from *23andMe*. It was recommended that this fee not be approved because sale prices are often lower, allowing students to source the kit at lower prices. Following discussions, Moffitt summarized the group's recommendation, which was that if there are no quality issues, it is better to have people buy the kit directly rather than include the price as part of course fees. Chittenden shared information on the annual open forum to comment on proposed changes to course fees and non-instructional-related fees and fines cited in the Special Fees, Fines, Penalties and Service Charges Fee Book: February 18 from 9am and February 19 from 3pm—both in 260 Condon Hall.

*Online Course Fee.* Moffitt explained that in previous years the UO has had a decentralized approach to online education and has lacked a holistic strategy across the institution. She shared that the University has hired Carol Gering, associate vice provost of online and distance education, to develop a more cost effective and streamlined approach to online and education across the institution. Gering shared plans

to add online courses to offer scheduling flexibility, increase timely graduation, and provide consistent student support around the technology, processes, and procedures for all UO online classes. The memo on the proposed online course fee is available [online](#). Discussions focused on the positive impacts that online courses have on students in terms of scheduling flexibility and recruiting non-traditional students. Members also discussed the importance of ensuring students have the choice of in-person as well as online courses, analyzing how online courses affect student success, focusing online course availability in lower division classes to help alleviate bottlenecks, and offering students value in terms of increased flexibility and options.

**Undergraduate tuition.** Moffitt noted that there was not enough meeting time remaining in the meeting to discuss undergraduate tuition. She urged the group to spend time using the tuition calculator to explore scenarios for non-resident tuition rates because TFAB needs to make recommendations by the end of next week. Moffitt noted that the group should consider growth assumptions and options for state appropriations, and bring preliminary ideas to the next meeting (1/30). She also reminded members that the funding gap figures indicate the level of other revenue increases and cost cutting that would be necessary to balance the budget.

**Adjournment.** The meeting adjourned at 9:58am.

## Tuition and Fee Advisory Board of the University of Oregon

### Meeting Summary | January 30, 2019

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The 2018–2019 Tuition and Fee Advisory Board (TFAB) of the University of Oregon met in the Johnson Hall Conference Room on the UO's Eugene campus at 8:30am on January 30, 2019. Below is a summary of the meeting.

**Attending:** Odalis Aguilar (guest), Erica Daley, Zack Demars (guest), Imani Dorsey, Lizzy Elkins (guest), Maria Alejandra Gallegos-Chacón, Emily Halnon (guest), Tova Kruss, Stuart Laing, Kevin Marbury (co-chair), Aimée Marquez, Jamie Moffitt (co-chair), JP Monroe, Chris Murray, Sarah Nutter, Tan Perkins (guest), Philip Scher, Kathie Stanley, Janet Woodruff-Borden

**Staff:** Debbie Sharp (Office of the VPFA)

**Welcome and introductions.** Co-chair Jamie Moffitt, vice president of finance and administration and CFO welcomed the group and invited all participants to introduce themselves.

**Undergraduate Tuition.** Moffitt provided an overview of the meeting plan, which focused on examining various scenarios to help the group come up with recommendations for non-resident undergraduate tuition. She also noted the tight timeline for the coming week: the draft memo should go out from the co-chairs to TFAB on Friday night or Saturday morning; suggested edits should be submitted by midday on Monday; the next draft will go out on Monday night and any other comments should be submitted to co-chairs on Tuesday. Moffitt explained that ideally the memo should go to the president on Wednesday, giving Communications enough time to circulate the memo and notify campus of the President's Tuition Forum.

Kevin Marbury, vice president for student life, noted that the President's Tuition Forum is scheduled for 6pm on Monday, February 11 in the Redwood Auditorium and is an opportunity for the president to receive feedback on the TFAB memo before he makes his tuition recommendations to campus and to the Board. Moffitt explained that the president's recommendations will go online later that week, allowing campus time to give feedback before the president makes his final decision on recommendations to the Board of Trustees (BOT). She noted that the BOT meets on March 4<sup>th</sup> and 5<sup>th</sup>, during which the president's recommendations on tuition will be reviewed. When asked how closely the President and Board tend to follow TFAB's recommendations, Moffitt shared that the TFAB recommendations are usually followed quite closely. However, she emphasized that TFAB's recommendations are advisory to the president and the president's recommendations are advisory to the board; the president and the board each have the authority to consider relevant advice and feedback and are not required to approve the recommendations that they are given.

Returning to the topic of TFAB's memo to the president, Moffitt noted that TFAB co-chairs will do their best to incorporate the suggested edits of TFAB members into the memo. She shared that there is also the option for any TFAB members to submit a second memo to the president if they'd like to express their views directly.

Tan Perkins, chief of staff of the ASUO, provided an overview of the ASUO process to set the Incidental fee (I-Fee), which covers the cost of running the student government and also provides support to student groups who submit budget requests. Tan noted that the ASUO is looking at an operating deficit this year and therefore anticipates using the student reserve to ensure the I-Fee increase is under 5%.

**Examining tuition scenarios.** Before looking at specific tuition scenarios, Moffitt explained how the tuition calculator works, with the anticipated cost drivers and current budget shortfall accounted for, and allowing for various scenarios based on different assumptions regarding potential growth and state appropriations, and resident and non-resident tuition. She also noted that the model assumes that the student population is stable, whereas it has been decreasing in the last few years. Moffitt explained that in most years there has been a remaining gap that needs to be covered through increases in other revenue and/or cost cutting. When asked, Moffitt explained that in the past, TFAB members often ended up with figures that resulted in a gap range of \$3 - \$6 million but generally not higher than that. TFAB members discussed the likelihood of whether the full investment budget would be implemented and all of the things that would need to occur for this to be possible (e.g., more revenue identified, higher education included in the investment budget, etc.). Moffitt reiterated that there is a great deal of uncertainty this Spring related to the institution's budget. TFAB members discussed the fact that UO non-resident undergraduate tuition is currently priced on par with other schools and raising it too much could affect enrollment.

TFAB members discussed various scenarios, as summarized below, all assuming a \$5.6 million current year E&G fund deficit.

Existing FY2019 E&G Fund Budget Deficit	FY2020 Projected Cost Drivers	FY2020 Change in State Appropriation	Incremental Funding – Growth Initiative	Resident Tuition Rate Increase	Non-Resident Tuition Rate Increase	Remaining Gap (to be covered by cost cutting and other revenue)
\$5.6 million	\$24.1 million	(\$2.7 million)	\$0	0.0% (\$0 per credit)	0.0% (\$0 per credit)	\$32.4 million
\$5.6 million	\$24.1 million	(\$2.7 million)	\$0	4.15% (\$9 per credit)	2.97% (\$22 per credit)	\$21.9 million
\$5.6 million	\$24.1 million	\$3.7 million	\$5.0 million	4.15% (\$9 per credit)	2.02% (\$15 per credit)	\$12.8 million
\$5.6 million	\$24.1 million	\$8.0 million	\$5.0 million	4.15% (\$9 per credit)	2.02% (\$15 per credit)	\$8.5 million
\$5.6 million	\$24.1 million	\$3.0 million	\$5.0 million	5.07% (\$11 per credit)	3.51% (\$26 per credit)	\$9.1 million
\$5.6million	\$2.4 million	\$3.7 million	\$5.0 million	0.0% (\$0 per credit)	2.02% (\$15 per credit)	\$15.9 million

TFAB members discussed a number of issues, including the increase in applications, the possibility of reducing tuition and trying to make up the resulting very large budget deficit with more students, how long the UO could run a deficit if the funding gap were not closed, and options for cutting costs. Other factors discussed include the impact of the Knight Campus, the use of the application fee by Enrollment Management, the impact of recent administrative cost-cutting measures, the importance of preserving the educational mission of the UO, and the value of offering recurring scholarships to ensure students and parents have cost predictability. TFAB members also discussed the fact that the large size of the funding gap means that tuition alone cannot be expected to cover it all, and that cost cutting measures can also not possibly make up the entire difference without seriously affecting programs offered at the UO.

Members spent a lot of time considering the perspectives of resident and non-resident students adversely impacted by increasing costs in higher education. This was discussed in relation to cost and educational quality comparisons with AAU public and Pac-12 schools, and the potential for students being priced out of school in the middle of their educational journey. Some participants encouraged TFAB not to raise non-resident tuition by more than 3%. The perspectives of vulnerable in-state students were also discussed, including the importance of finding more scholarships for juniors and seniors to help with retention rates.

**Adjournment.** The meeting adjourned at 9:57am.

The 2018–2019 Tuition and Fee Advisory Board (TFAB) of the University of Oregon met in the Johnson Hall Conference Room on the UO's Eugene campus at 8:30am on February 1, 2019. Below is a brief summary of the meeting.

**Attending:** Jim Brooks, Erica Daley, Zack Demars (guest), Imani Dorsey, Lizzy Elkins (guest), Maria Alejandra Gallegos-Chacón, Emily Halnon (guest), Tova Kruss, Semeredin Kundin (guest), Stuart Laing, Laura Leete, Kevin Marbury (co-chair), Montse Mendez Higuera (guest), Jamie Moffitt (co-chair), JP Monroe, Sarah Nutter, Tan Perkins (guest), Philip Scher, Doneka Scott, Kathy Stanley, Janet Woodruff-Borden

**Staff:** Debbie Sharp (Office of the VPFA)

**Welcome and introductions.** Co-chair Jamie Moffitt, vice president of finance and administration and CFO, welcomed the group and invited all participants to introduce themselves.

**Undergraduate tuition.** Moffitt opened the discussion by acknowledging the difficulty of budget, tuition, and cost cutting discussions, and how all decisions would affect people and their families. She shared a number of factual elements to provide context and information. These included the average gross increase for non-resident tuition at the AAU public institutions (average of 3.5% over the last five years; range of 2.5% to 4.4% per year). The group also discussed the fact that after much discussion, last year's TFAB assumed \$4.0 million of enrollment growth, but unfortunately, none of this was realized in FY19. She reminded the group that the other unknown factor is state appropriation. The Governor's Recommended Budget would result in a cut of \$2.7 million to the UO's E&G fund budget. If the state were to increase investment in the PUSF by \$60 million (50% of the \$120 million being requested in the investment budget), the UO would likely see an increase in its appropriation of a little over \$2 million. The full investment budget would result in an \$8.0 million increase to UO's E&G fund budget. Moffitt noted that it is possible that TFAB will have more information on where the state budget might realistically land later in the Spring.

The Tuition and Fee Advisory Board spent the rest of the meeting reviewing and discussing a broad range of scenarios to understand how the level at which non-resident tuition is set might affect other factors (e.g., resident tuition, the gap needing to be covered through cost cutting and other revenue streams). Please see the final [TFAB recommendations memo to the president](#) for more information.

**Adjournment.** The meeting adjourned at 9:57am.

The 2018–2019 Tuition and Fee Advisory Board (TFAB) of the University of Oregon met in the Johnson Hall Conference Room on the UO's Eugene campus at 3:00pm on March 8, 2019. Below is a summary of the meeting.

**Attending:** Jim Brooks, Erica Daley, Imani Dorsey, Maria Alejandra Gallegos-Chacón, Tova Kruss, Stuart Laing, Laura Leete, Kevin Marbury (co-chair), Aimée Marquez, Jamie Moffitt (co-chair), JP Monroe, Sarah Nutter, Philip Scher, Kathy Stanley, Janelle Stevenson

**Staff:** Debbie Sharp (Office of the VPFA)

**Welcome and introductions.** Co-chair Jamie Moffitt, vice president of finance and administration and CFO, welcomed the group and invited all participants to introduce themselves.

**Updates.** Moffitt updated the TFAB on a number of events that had taken place since the February 1, 2019 meeting. First, she thanked the group for their work on their February [recommendations to President Schill](#). Moffitt noted that the president [invited comment on TFAB's recommendations](#) in person at the February 11<sup>th</sup> student tuition forum and that his recommendations to the board were later posted online for comment. She also explained that the president accepted the recommendations and only made one minor change in his proposal to the Board: he added 25 cents to the Health Center fee so that students would be billed in whole dollars, reducing the administrative accounts receivable burden of following up with students and families who inadvertently did not pay their entire bill. Moffitt shared that the UO Board of Trustees [approved the proposed tuition rates](#) for nonresident undergraduate and graduate students as well as the proposed mandatory institutional fees.

Moffitt then briefed the TFAB on [updated FY2020 Education and General Fund cost drivers](#), noting that the projections for increased retirement costs had decreased from \$7.6 million to \$7.1 million. She then shared the [FY2019 Q2 short form](#) and the [updated second quarter FY2019 E&G projection](#), which shows a current estimated shortfall of \$7.9 million, up from the \$5.5 million shortfall forecasted in the first quarter. She also discussed President Schill's March 5<sup>th</sup> [message to the University of Oregon campus community](#), which noted the need for more state support, the unpredictability of student enrollment, the substantial drop in international enrollment in the past three years, and the need to reduce annual operating costs by up to \$11 million annually. Moffitt noted that the president has been meeting with campus leaders, including the ASUO, leadership from faculty and staff labor unions, senate leadership, the senate budget committee and deans, about ways to handle the budget cuts strategically. She emphasized the president understands that next year's budget shortfall is too large to be covered by tuition increases alone and that he is trying to move quickly and effectively to address the issue.

Moffitt informed the TFAB that the co-chairs of the joint Committee on Ways & Means had released their recommended budget for the 2019-2021 biennium (see impact summary by [Government & Community Relations](#)). She noted that the co-chair's budget represents a \$200,000 increase in operating funding for the university, which is an improvement on the \$2.7 million decrease in funding included in the Governor's Recommended Budget. ASUO student members explained they had been actively lobbying in Salem for increased higher education funding in the investment budget.

**Undergraduate tuition.** Moffitt noted that the TFAB will be discussing resident, undergraduate tuition rates and needs to make recommendations to the president in May. She shared a revised tuition calculator, including updated cost drivers, new projected shortfall, revised state appropriations, cost cutting figures, estimated student growth, and impact of declining international enrollment.

TFAB members discussed the impact of declining international student numbers—as the graduating international seniors leave the university—and how this may neutralize the positive impact of increased student recruitment. Members also deliberated the possibility of carrying part of the budget gap into the next financial year, the importance of student retention, and how much of the cost cutting will be complete in FY2020. The group considered the fact that Oregon’s seven public universities need a collective \$120 million increase in operating funds to keep resident undergraduate tuition increases under 5%. Dean Nutter thanked student members for the work they are doing on behalf of the university, including lobbying in Salem.

Below is a list of a few of the scenarios that TFAB reviewed during the meeting using the tuition calculator tool:

<b>Updated FY2019 E&amp;G Fund Projected Budget Deficit</b>	<b>Updated FY2020 Projected Cost Drivers</b>	<b>Updated FY2020 Change in State Appropriation</b>	<b>Announced Cuts to UO Budget</b>	<b>Incremental Funding – Growth Initiative</b>	<b>Projected Decline in Int’l Students</b>	<b>Resident Tuition Rate Increase</b>	<b>Non- Resident Tuition Rate Increase (approved by Board)</b>	<b>Remaining Gap (to be covered by cost cutting and other revenue)</b>
\$7.9 million	\$23.6 million	\$200,000	\$11 million	\$7.5 million	\$7 million	4.61% (\$10 per credit)	2.97% (\$22 per credit)	\$8.9 million
\$7.9 million	\$23.6 million	\$200,000	\$11 million	\$5 million	\$7 million	19.82% (\$43 per credit)	2.97% (\$22 per credit)	\$62,934
\$7.9 million	\$23.6 million	\$8 million	\$11 million	\$7.5 million	\$7 million	4.61% (\$10 per credit)	2.97% (\$22 per credit)	\$1.1 million

**Adjournment.** The meeting adjourned at 4:10pm.

The 2018–2019 Tuition and Fee Advisory Board (TFAB) of the University of Oregon met in the Johnson Hall Conference Room on the UO's Eugene campus at 10:30am on April 19, 2019. Below is a summary of the meeting.

**Attending:** Odalis Aguilar (guest), Jim Brooks, Erica Daley, Zack Demars (guest), Imani Dorsey, Maria Alejandra Gallegos-Chacón, Bill Harbaugh (guest), Tova Kruss, Stuart Laing, Kevin Marbury (co-chair), Aimée Marquez, Jamie Moffitt (co-chair), JP Monroe, Chris Murray, Sabinna Estephania Pierre (guest), Vanessa Robles (guest), Philip Scher, Kathy Stanley, Janet Woodruff-Borden.

**Staff:** Debbie Sharp (Office of the VPFA)

**Welcome and introductions.** Co-chair Jamie Moffitt, vice president of finance and administration and CFO, welcomed the group and invited all participants to introduce themselves. Moffitt explained that in preparation for the May 7<sup>th</sup> TFAB meeting (5:30–7:30pm, JHCR) which will focus on specific recommendations for resident undergraduate tuition, today's discussion would focus on a few topics, including more information about the resident student class. She also asked that everyone please try to attend the May 7<sup>th</sup> meeting as the group will need to develop final recommendations to the president on that date.

**Resident class data.** Jim Brooks, assistant vice president for student services and enrollment management and director of student financial aid and scholarships, presented data on resident students and the [PathwayOregon program](#).

Brooks shared information on the current undergrad resident population (10,425 students as of fall 2018) and PathwayOregon, which is a [scholarship support program](#) that covers full tuition and fees for resident Oregonians who are academically qualified and Federal Pell Grant eligible. PathwayOregon funds make up the difference between the student's tuition and fees, and any federal and state aid that they are receiving. Discussing the demographics of PathwayOregon students, Brooks explained that there has been a growth in Latinx recipients (to 24.4%) and some growth in Black or African American recipients (to 4.2%), acknowledging that there is more progress to be made. He noted that 56% of Pathway students are first generation college students, as compared with 19% of non-Pathway UO resident students. Brooks shared some statistics concerning student debt, noting that this is a concern for the university and the TFAB. He explained that of the 387 PathwayOregon students in the 2018 class, 82 of them graduated with no debt. By comparison, 44.1% of resident students and 56.4% of all undergraduates in the 2018 graduating class had no debt. The average debt for resident seniors in 2018 was \$24,076, as compared with the average debt for all graduating seniors, which was \$26,164.

TFAB members asked a number of questions about the PathwayOregon program, graduation data, and student debt. For example, members were particularly concerned about Pell-eligible residents who are not covered by the Pathway program, commenting that they probably carry the highest debt burden compared to other resident students. The group discussed the challenges faced by students who do not qualify for federal or state grants and struggle to pay higher education costs, the lack of funding for low-income transfer and non-Pathway eligible students, and financial issues faced by Pathway students who struggle to pay for housing and books, even though the program pays for tuition and fees.

TFAB members noted that while Pathway students are protected from tuition increases, there are a number of other resident students who will be significantly impacted by large increases in resident tuition and mandatory enrollment fees.

**Budget cut updates.** Moffitt updated the TFAB on progress with UO budget cuts, confirming that the university plans to cut a total of \$11.6 million recurring from the general fund budget. She explained the president decided to protect some functions at the UO including recent investments in student advisors and counselors, Title IX and public safety functions, and positions such as front line recruiting and fundraising that generate income for the institution. He also instructed the provost and vice presidents to make strategic cuts that minimize the impact on the [university mission](#) while recognizing that any cuts adversely affect people. Moffitt noted that administrative units face larger percentage cuts on average than academic units, and that there will be fewer tenure-track faculty (TTF) hired through the [Institutional Hiring Plan](#) next year. TFAB members discussed how schools and colleges have to manage to their budgets and noted that deferred maintenance money from the state does not begin to cover the university's infrastructural maintenance needs.

**Sensitivity Analysis.** Moffitt presented a sensitivity analysis that looked at various potential outcomes related to (1) legislative funding in the PUSF, and (2) potential projected enrollment. For each scenario, the analysis provided information on two key questions:

- (1) If resident tuition were kept under 5%, how much of a budget gap would remain after the institution implements the announced \$11.6 million of recurring budget cuts?
- (2) If after the \$11.6 million of budget cuts were implemented the institution were to balance the FY2020 budget by increasing resident, undergraduate tuition to fill the remaining budget gap, what tuition rate increase would be necessary?

The analysis looked at PUSF (Public University Support Funding) funding scenarios that ranged from +\$40.5 million to +\$120 million and projected enrollment that ranged from 90% to 100% of non-resident growth targets. It's important to note that this analysis was based on the existing \$7.9 million FY2019 budget gap (Q2 estimate) and the assumption that the President's announced \$11.6 million of budget cuts are fully implemented.

TFAB members discussed university tolerance for maintaining a budget gap, other universities' enrollment experiences, and positive indications for student enrollment at the UO in the coming year. The group noted that deposit information should be available before the May 7 meeting, which should help inform TFAB's recommendation to the president about resident undergraduate tuition.

**Adjournment.** The meeting adjourned at 11:33am.

## **Appendix 6 - Summary of HB 4141 Requirements for Documents Submitted to the President by the Tuition and Fee Advisory Board (TFAB)**

<b>HB4141 requires the advisory body provide</b>	<b>Location of documentation</b>
A written report to the president of the university that sets forth the recommendations, deliberations and observations of the advisory body regarding resident tuition and mandatory enrollment fees for the upcoming academic year. The report must include the following:	<ul style="list-style-type: none"> <li>• May 2019 memo (resident undergraduate tuition) submitted to President Schill on May 10, 2019.</li> <li>• February 2019 memo (non-resident and graduate tuition and fees) submitted to President Schill on February 6, 2019 (see Appendix 1).</li> </ul>
<ul style="list-style-type: none"> <li>• Any minority report requested by a member of the advisory body</li> </ul>	<ul style="list-style-type: none"> <li>• Submitted to President Schill on May 10, 2019.</li> </ul>
<ul style="list-style-type: none"> <li>• A plan for how the governing board and the public university's administration are managing costs on an ongoing basis.</li> </ul>	<ul style="list-style-type: none"> <li>• Discussed during November 16, 2018 TFAB meeting. Available at <a href="https://ir.uoregon.edu/files/Cost_Management_Plan_11-16-18.pdf">https://ir.uoregon.edu/files/Cost_Management_Plan_11-16-18.pdf</a> and in Appendix 6a.</li> </ul>
<ul style="list-style-type: none"> <li>• A plan for how resident tuition and mandatory enrollment fees could be decreased if the public university receives more moneys from the state than anticipated.</li> </ul>	<ul style="list-style-type: none"> <li>• Discussed during May 7, 2019 TFAB meeting. Outlined on page four of the May 10, 2019 memo to President Schill.</li> </ul>
<ul style="list-style-type: none"> <li>• Documented consideration of the impact of resident tuition and mandatory enrollment fees that the advisory body intends to recommend to the president on: <ul style="list-style-type: none"> <li>○ Students at the public university, with an emphasis on historically underserved students, as defined by the public university.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Discussed during the following TFAB meetings: (see Appendix 5) <ul style="list-style-type: none"> <li>○ January 18, 2019 TFAB tuition forum: feedback from TFAB student forum about impact of tuition increases on students</li> <li>○ January 23, 2019: impact of online course fees and positive impacts of online courses on students, particularly non-traditional students.</li> <li>○ January 30, 2019: perspectives of students being priced out of higher education, vulnerable in-state students, etc.</li> <li>○ April 29, 2019: discussion of resident student demographics, challenges faced by low-income transfer and non-PathwayOregon-eligible students, non-tuition/fee financial pressures on Pathway Oregon students, etc.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>○ The mission of the public university, as described by the mission statement adopted under ORS 352.089.</li> </ul>	<ul style="list-style-type: none"> <li>• Discussed during TFAB meetings on January 30, 2019 and April 19, 2019. Meeting summaries available in Appendix 5.</li> </ul>
<ul style="list-style-type: none"> <li>○ Alternative scenarios that involve smaller increases in resident tuition and mandatory enrollment fees than the advisory body intends to recommend to the president of the public university.</li> </ul>	<ul style="list-style-type: none"> <li>• Discussed during May 7, 2019 TFAB meeting and outlined on page four of the May 10, 2019 memo to President Schill.</li> </ul>

## **Appendix 6a - Plan for How the Governing Board and Administration are Managing Costs**

### **Language for Section 4(a) of HB 4141-B**

Enrolled House Bill 4141-B (2018) establishes certain requirements for the process that must be used by Oregon's public universities in setting undergraduate, resident tuition. Section 4(a) stipulates that the UO must provide the Tuition and Fee Advisory Board (TFAB) with a "plan for how the governing board and the public university's administration are managing costs on an ongoing basis".

Managing both short- and long-term costs is an enduring concern of the university's administration and governing board. The Board of Trustees, along with university leadership, accepts full responsibility for the management of costs of the University, recognizing that this is a fundamental duty of the governing board. University leadership believes it is an obligation to appropriately and responsibly manage costs, particularly since so much of the institution's education and general budget comes from tuition or taxpayer dollars.

To help ensure cost management happens on an "ongoing basis" as required by both the law and sound fiscal management,

1. The Board of Trustees annually reviews projected expenditures for the upcoming fiscal year. This helps ensure expenditures align with institutional priorities, as well as projected revenue.
2. The Board of Trustees reviews, quarterly, financial projections against actual spending rates. This helps ensure costs are in line with approved budgets, that treasury and financial decisions are rooted in data, and that any irregularities are quickly caught and analyzed.
3. The Board of Trustees receives benchmarking information, comparing the UO's staffing levels (which account for approximately 80% of the education and general budget) to those of public peer institutions. This information helps UO Leadership to better understand how UO staffing compares to peers and how comparative staffing levels affect our labor costs.
4. The Board of Trustees will annually discuss measures taken by the institution toward specific savings initiatives. Administration leadership will provide updates on cost-saving endeavors that will realize one-time savings, recurring savings, or a combination of both.
5. The Board of Trustees and University leadership regularly discuss and review all university costs, including state mandated costs such as PERS and PEBB, and supports efforts, including those in coordination with the other universities, to address such costs.

## **Agenda Item #4**

### **Seconded Motions from Committee**

- Residence Halls Transformation Capital Request**
- FY20 Temporary Expenditure Authorizations**

*This resolution is presented to the Board as a seconded motion from the Finance and Facilities Committee pending May 22 committee action.*

**Introduction**

The Board of Trustees must approve all capital projects which are reasonably expected to exceed \$5,000,000 in total cost. As a result, the University would not normally expend resources or engage in contracts exceeding this threshold until broader project (and project budget) approval is granted. However, there exists a timing issue with respect to the first phase of the Hamilton and Walton Residence Halls Transformation Project. In order to accurately estimate total project costs and maintain progress toward planned timelines, certain expenditures are required and, given the scope of the project, these costs by themselves will exceed the \$5,000,000 threshold. The proposed resolution seeks to remedy that issue with reasonable pre-approvals until the entire project can be reviewed and considered by the Board.

**Issue and Proposal**

The first phase of the Hamilton and Walton Residence Halls Transformation Project will need to begin in summer 2019 in order to keep on the proposed schedule shared with the Board in the past and reiterated in the attached presentation. The specific work needed in summer 2019 involves underground utility work. In addition, design development and thorough cost estimated is required at this stage of the project in order to gain accurate estimates for the entire project budget. Conducting utility work in the summer when the campus is less populated is more effective and less disruptive.

The University will not, however, be prepared to bring a full project outline and budget to the Board for approval until the September 2019 meeting. This is because the project team wants to ensure the estimates are as thorough and complete as possible.

Thus, there exists a gap in time when the project team, in order to maintain forward momentum, will need to execute contracts or make expenses that exceed \$5,000,000 in aggregate prior to Board approval of the full project. Examples of expected expenses include but are not limited to: design development level design of the buildings and sites; including surveying, geotechnical testing, and an environmental assessment; underground utility work.

In total, the University does not expect costs associated with these contracts or costs to exceed \$8,000,000 before the final project review and budget are presented to the Board in September.

This resolution authorizes expenditures up to \$8,000,000 as articulated above. Funding for this initial work will be in the form of an Interfund Loan from the Residence Hall Operations Fund to the project Plant Fund. Upon Board of Trustee approval, the overall project will be financed through the UO Internal Bank with repayment from future room and board fees. The financing package will include repayment of the \$8,000,000 Interfund Loan back to Residence Hall Operations.

**Board of Trustees of the University of Oregon**

**Seconded Motion: Authorization for Certain Capital Expenditures (Residence Halls Transformation)**

Whereas, University Housing has a robust plan to transform residence halls and available on-campus housing, which includes substantial redevelopment of the area adjacent to Agate Street between 13<sup>th</sup> and 15<sup>th</sup> Streets;

Whereas, it will be necessary for the University to engage in certain contracts or make certain expenses—including site development, design, surveying, geotechnical testing, environmental assessments, underground utility work, and other necessary costs associated with maintaining a responsibly aggressive timeline for this project—in order to understand the project’s total estimated budget;

Whereas, the aggregate value of the aforementioned contracts and expenditures, will exceed \$5,000,000, a threshold requiring Board authorization; and,

Whereas, the Policy on Committees authorizes the Finance and Facilities Committee to submit items to the full Board as a seconded motion, recommending passage.

Now, therefore, the Finance and Facilities Committee of the Board of Trustees of the University of Oregon has referred this matter to the full Board recommending adoption:

RESOLVED, the Vice President for Finance and Administration or her designee is authorized to execute contracts and expend resources relating to costs articulated above in this resolution for the Hamilton and Walton Residence Halls Transformation Project in an amount not to exceed \$8,000,000 prior to full project approval by the Board of Trustees.

Trustee	Yes	No	Trustee	Yes	No
Aaron			Kari		
Ballmer			Lillis		
Bragdon			McIntyre		
Colas			Murray		
Curry			Ralph		
Ford			Paustian		
Gonyea			Wilcox		

Record here if a vote was taken without a roll call vote: \_\_\_\_\_

Dated: \_\_\_\_\_ Initials: \_\_\_\_\_

*This resolution is presented to the Board as a seconded motion from the Finance and Facilities Committee pending May 22 committee action.*

The Board of Trustees has the responsibility of approving a budget and related expenditure authorizations for each fiscal year. The next fiscal year (FY) for the University begins on July 1, 2019.

There are certain unknown factors that will impact a final budget proposal. These include items such as the final determination of state appropriation, approval of legislatively-authorized funding (bonds) for capital projects, PEBB rates, and certain collective bargaining. It is highly unlikely that all of these items will be settled prior to this Board meeting.

As a result, the University seeks temporary approval from the Board for expenditure authorizations for FY20 at levels equal to FY19 at this meeting with an understanding that final FY20 operating and capital budgets will be presented to the Board at its September meeting after more complete information is available.

This has been the standard of practice for even-numbered years.

## **Board of Trustees of the University of Oregon**

### **Seconded Motion: Temporary FY2020 Budget and Expenditure Authorizations**

Whereas, ORS 352.102(1) provides that, except as set forth within ORS 352.102, the Board of Trustees may authorize, establish, collect, manage, use in any manner and expend all revenue derived from tuition and mandatory enrollment fees;

Whereas, ORS 352.087(1)(a) provides that the Board of Trustees may acquire, receive, hold, keep, pledge, control, convey, manage, use, lend, expend and invest all moneys, appropriations, gifts, bequests, stock and revenue from any source;

Whereas, ORS 352.087(1)(i) provides that the Board of Trustees may, subject to limitations set forth in that section, spend all available moneys without appropriation or expenditure limitation approval from the Legislative Assembly;

Whereas, ORS 352.087(2) requires, and the Board of Trustees finds, that the budget of the University of Oregon be prepared in accordance with generally accepted accounting principles;

Whereas, 352.087(3) provides that the Board of Trustees may perform any other acts that in the judgment of the Board of Trustees are required, necessary or appropriate to accomplish the rights and responsibilities granted to the Board and the University by law;

Whereas, the Board of Trustees wishes to approve a budget and related expenditure authorizations for fiscal year 2020 (FY2020) prior to July 1, 2017;

Whereas, the Board of Trustees cannot approve a final fiscal year 2020 budget and expenditure authorization until more information is available regarding FY20 revenue and expenses (most notably the state operating and capital appropriations); and,

Whereas, the Finance and Facilities Committee has referred this matter to the full Board of Trustees as a seconded motion, recommending adoption.

NOW THEREFORE, the Board of Trustees of the University of Oregon hereby approves:

1. A temporary operating budget equivalent to FY2019 (in the sum of \$1,070,732,000) is adopted for FY2020. During FY2020, the Treasurer of the University may expend or authorize the expenditure of this sum plus three percent, subject to applicable law. In the event that such expenditure authority is insufficient, the Treasurer may seek additional expenditure authority from the Executive and Audit Committee of the Board of Trustees.
2. A temporary capital budget equivalent to FY2019 (in the sum of \$182,700,000) is temporarily adopted for FY2020. During FY2020, the Treasurer of the University may expend or authorize the expenditure of this sum plus three percent, subject to applicable law. In the event that such expenditure authority is insufficient, the Treasurer may seek additional expenditure authority from the Executive and Audit Committee of the Board of Trustees.

3. At its next regularly scheduled meeting (September 2019), the Board of Trustees will review and adopt permanent operating and capital budgets for FY20.
4. The Treasurer may provide for the further delegation of the authority set forth in paragraphs 1 and 2.

Trustee	Yes	No	Trustee	Yes	No
Aaron			Kari		
Ballmer			Lillis		
Bragdon			McIntyre		
Colas			Murray		
Curry			Ralph		
Ford			Paustian		
Gonyea			Wilcox		

Record here if the vote was conducted without a roll call vote: \_\_\_\_\_

Date: \_\_\_\_\_

Recorded: \_\_\_\_\_

**Agenda Item #5**

**Conduct Code Revisions**



The Board of Trustees has retained authority to amend UO Policy III.01.01, the Student Conduct Code (Code). The Code establishes a Student Conduct Committee (Committee), tasking it with “the responsibility for formulating, approving or recommending changes related to the Student Conduct Program.”

That committee recommends a set of changes to the Code, which are now before the Board for consideration. It was the general opinion that these changes need to be implemented now, before the start of a new academic year (which begins in August for Law).

These proposed changes were developed collaboratively between the Office of the Dean of Students (DOS) and the Committee. The DOS and Committee received guidance from the Office of Investigations and Civil Rights Compliance and UO General Counsel.

Each of the proposed changes were agreed upon unanimously by the Committee. No opposition is anticipated.

Attached is a summary of proposed changes and a redline version of the Code is included as Exhibit A to the resolution.

Type	Current	Proposed	Rationale
<b>Definition</b>  Section 1, II.	<p>“Drug” means a controlled substance or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C. 811 to 812, or as defined in ORS 475.005 or modified in ORS 475.035.</p>	<p>“Cannabis” means the parts, products, and derivatives of the plant Cannabis sativa, indica, ruderalis and hybrid strains, regardless of the delta-9-tetrahydrocannabinol level. Cannabis is a Schedule I substance under the Controlled Substances Act, 21 U.S.C. 811 to 812. This does not include FDA approved substances as permitted in 1 CFR 1308.15(f) or industrial hemp as permitted by federal law, 7 U.S.C. 1639o. Pursuant to federal law, medical use of cannabis is prohibited on University Premises and at University Sponsored Events.</p>	<p>DOS is working collaboratively to eliminate the term “marijuana/marihuana” from policies, written materials, and everyday vernacular for the following reasons:</p> <ul style="list-style-type: none"> <li>- Marijuana is not technically and could be misleading to our students. DFSCA prohibits use/possession of the entire “cannabis” section in the CSA drug schedule. This includes cannabinoids and other products students may incorrectly believe are allowed to be on campus.</li> <li>- Prevention science and other research units use the term “cannabis.” This change brings our response in line with their efforts.</li> <li>- Marijuana/marihuana is deeply rooted in the oppression and criminalization of brown and black communities in the United States.</li> </ul>
		<p>“Controlled Substance” means a drug or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C. 811 to 812, or as defined in ORS 475.005 or modified under ORS 475.035.</p>	
<b>Violation</b>  Section 1, V., 3	<p>Prohibited drug use, which includes:</p> <ol style="list-style-type: none"> <li>1. Manufacture, processing, distribution, or cultivation of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity, except as expressly permitted by both State and Federal law</li> <li>2. Sale of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity; or</li> <li>3. Possession of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity except as expressly permitted by law.</li> </ol>	<p>Prohibited cannabis use on University Premises or at a University Sponsored Activity, or other property when applicable under rules regulating “Off-Campus Jurisdiction” (section 2,IV,2,b of this Code), which includes:</p> <ol style="list-style-type: none"> <li>1. Use, possession, or procurement of cannabis except as expressly permitted by both State and Federal law;</li> <li>2. Furnishing, cultivation, manufacturing, distributing, or selling cannabis except as expressly permitted by both State and Federal law; or</li> <li>3. Causing another to ingest cannabis without consent.</li> </ol>	<p>Separating cannabis from other controlled substances allows us to clearly track and assess problematic use on campus. Additionally, it is more transparent during records checks. This is important as cultural values and laws surrounding cannabis change.</p> <p>Adding a provision about causing another to ingest is important as we consider situations in which we are able to establish someone drugged someone else or subjected them to substances without their consent, but we are not able to establish any other prohibited behavior.</p>
		<p>Prohibited Controlled Substance use on University Premises or at a University Sponsored Activity, or other property when applicable under rules regulating “Off-Campus Jurisdiction” (section 2,IV,2,b of this Code), which includes:</p> <ol style="list-style-type: none"> <li>1. Use, possession, or procurement of a Controlled Substance except as expressly permitted by both State and Federal law;</li> <li>2. Furnishing, cultivation, manufacturing, distributing, or selling of a Controlled Substance except as expressly permitted by both State and Federal law; or</li> <li>3. Causing another to ingest a controlled substance without consent.</li> </ol>	

<b>Violation</b>  Section 1, V., 3	Prohibited alcohol use, which includes: <ol style="list-style-type: none"> <li>1. Possession or consumption of alcohol by those under 21 years of age on University Premises or at a University Sponsored Activity or when applicable under rules regulating “Off-Campus Jurisdiction” (section 2,IV,2,b of this Code);</li> <li>2. Furnishing of alcohol to a person under 21 years of age; or</li> <li>3. Consumption of an alcoholic beverage by a person at least 21 years of age or furnishing of an alcoholic beverage by or to a person at least 21 years of age, except in such areas and at such times as the University authorizes.</li> </ol>	Prohibited alcohol use, which includes: <ol style="list-style-type: none"> <li>1. Possession or consumption of alcohol by those under the legal drinking age - where the incident occurred - on University Premises or at a University Sponsored Activity or when applicable under rules regulating “Off-Campus Jurisdiction” (section 2,IV,2,b of this Code);</li> <li>2. Furnishing of alcohol to a person under the legal drinking age - where the incident occurred; or</li> <li>3. Consumption of an alcoholic beverage by a person at least the legal drinking age – where the incident occurred - or furnishing of an alcoholic beverage by or to a person at least the legal drinking age – where the incident occurred, except in such areas and at such times as the University authorizes.</li> <li>4. Causing another to ingest alcohol without consent.</li> </ol>	Based on a recommendation from General Counsel, we are changing under 21 to under the legal drinking age. This sets clear expectations for students who are studying abroad and students who are otherwise legally consuming alcohol.  Adding a provision about causing another to ingest is important as we consider situations in which we are able to establish someone gives someone alcohol without their consent, but we are not able to establish any other prohibited behavior.
<b>Rights</b>  Section 2, 5.	<i>Due to an error in last year’s update, the AEC procedural protection was only applied to complainant rights when it should have also been applied to accused student rights.</i>	The University of Oregon is committed to providing an education environment that is accessible to all students. Students in need of accommodations due to a disability should contact the Accessible Education Center (AEC) as soon as possible. Any accommodations deemed necessary and approved by the AEC will be incorporated into the student conduct process as possible.	This change should have occurred last year, but an error resulted in this being applied only to complainant rights.  This language already exists in the Code for complainant student rights and needs to be added to the rights for accused students. Instead of putting it in both sections, it should have been pulled out to apply to all student parties.

<b>Violation</b>  Section 1, V., 3	[new]	<p>Smoking and Tobacco Products</p> <ol style="list-style-type: none"> <li>1. Smoking and Tobacco Use, including “vaping”, is prohibited on University owned or controlled property by University Policy (IV.07.09)</li> <li>2. Possession of tobacco products and inhalant delivery systems (“e-cigarettes”) by those under 21 years of age on University Premises or at a University Sponsored Activity, is prohibited in accordance with state law.</li> <li>3. This does not prohibit the use or possession of products that have been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, provided the product is marketed, sold, and used solely for the approved purpose.</li> </ol>	<p>A student member of the board brought forth a desire to set clear expectations regarding smoking, e-cigarettes, and tobacco products for students. Add this provision ensures that students are able to find expectations easily within the Code and not have to look to other University policy. This language is based on existing university policy and state law.</p> <p>DOS is looking at ways to promote education and cessation through informal processes when responding to this violation.</p>
<b>Procedure</b>  Section 3, II., 2	[new]	Whether the accused student may be subject to suspension, expulsion, or negative transcript notation. After issuing Notice, if the Director receives additional information which could elevate the potential sanction to suspension, expulsion, or transcript notation, the Director will issue a new written notice to the accused student to initiate new proceedings.	Adding this provision provides students clarity about the process and provides immediate relief from stress and anxiety regarding unknown outcomes. Most students are fearful of suspension and expulsion while in reality, few cases actually result in separation.
<b>Appeal Procedure</b>  Section 3, IV.	[new]	If the Appeals Board grants an appeal on the basis of “new information” (section 3.IV.2.d of this code) the only action the Appeals Board may take is to remand for further proceeding.	As the Appeals Board is not a hearings body, if additional information is substantial enough to warrant to new decision, the case should be remanded for new proceedings. This allows a hearings officer to make an informed decision based on the totality of the information.
<b>Appeal Procedure</b>  Section 3, IV.	[new]	An accused student who appeals a decision to the Appeals Board, will not be subject to increased sanction by the Appeals Board.	Students should feel free to exercise their right to appeal. Student have expressed the thought that the Appeals Board could increase sanctions is a barrier to them filing an appeal.

<p><b>Appeal Procedure</b></p> <p>Section 3, V.</p>	<p>2. Membership. The Appeals Board shall consist of three faculty members, recommended by the Committee on Committees of the University Senate, and three student members, recommended by the ASUO. Board members shall be appointed by the President and serve for one-year terms. They may be reappointed, but no member may serve for more than two consecutive terms. Temporary members may be appointed to assure full Appeals Board membership during summer session or at such other times as are necessary. The President shall designate one of the members as pro tempore chair of the Appeals Board.</p>	<p>Membership. The Appeals Board shall consist of five faculty members, recommended by the Committee on Committees of the University Senate, and five student members, recommended by the ASUO. Board members shall be appointed by the President and serve for one-year terms. They may be reappointed, but no member may serve for more than two consecutive terms. Temporary members may be appointed to assure full Appeals Board membership during summer session or at such other times as are necessary. The President shall designate one of the members as pro tempore chair of the Appeals Board.</p>	<p>Coordinating schedules to convene appeals board meetings has become increasingly difficult. The goal of these proposed changes is to provide immediate relief as DOS and the Student Conduct Committee consider potential long term solutions.</p> <p>Increasing the number of board members and while keeping the quorum the same allows for more flexibility during scheduling and accounts for unexpected absences.</p>
<p><b>Appeal Procedure</b></p> <p>Section 3, V.</p>	<p>3. The Appeals Board will elect its permanent chair at its first meeting. A quorum shall consist of two students and two faculty members. The Appeals Board shall establish its own rules of procedure.</p>	<p>The Appeals Board will elect its permanent chair at its first meeting. A quorum shall consist of two students and two faculty members. The Appeals Board shall establish its own rules of procedure for Appeals Board meetings.</p>	
<p><b>Rights</b></p> <p>Section 2</p>	<p>[new]</p>	<p>Students who participate in investigations, meetings, and/or other conduct proceedings should be aware that sharing information, which implicates a potential violation of this code, with a hearings officer may result in new or additional student conduct action. If a student chooses to remain silent during the conduct process, the hearings officer will not draw adverse inference. If a student chooses to answer some questions but not others or chooses to participate in some portions of the process but not others, the hearings officer may consider how that affects the credibility or weight of the information that student chooses to provide.</p>	<p>This provision is meant to clarify to students what their participation in the conduct process can mean and does not mean.</p>

## Board of Trustees of the University of Oregon

### Resolution: Adoption of Proposed Changes to Student Conduct Code

Whereas, UO Policy III.01.01, the Student Conduct Code ("Code") stipulates that the primary mission of the Code is to "set forth the community standards and procedures necessary to maintain and protect an environment conducive to learning";

Whereas, UO Policy III.01.01 notes that a corollary mission of the Student Conduct Code is to teach students to live and act responsibly in a community setting, with respect for the rights of other students and members of that community...and to encourage the development of good decision-making and personal integrity;

Whereas, to be effective, the Student Conduct Code must be updated and kept current, and must be aligned with state law, federal law and best practices; and,

Whereas, the University and the Student Conduct Committee has proposed certain changes to the Code, attached hereto as Exhibit A;

NOW, THEREFORE, the Academic and Student Affairs Committee of the Board of Trustees of the University of Oregon hereby refers to the Board as a seconded motion the proposed changes to the Student Conduct Code as articulated in Exhibit A.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

Trustee	Yes	No	Trustee	Yes	No
Aaron			Kari		
Ballmer			Lillis		
Bragdon			McIntyre		
Colas			Murray		
Curry			Ralph		
Ford			Paustian		
Gonyea			Wilcox		

Record here if a vote is taken without a roll call: \_\_\_\_\_

Date: \_\_\_\_\_ Initials: \_\_\_\_\_

**Reason for Policy**

The Student Conduct Code establishes community standards and procedures necessary to maintain and protect an environment conducive to learning and in keeping with the educational objectives of the University of Oregon.

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**Entities Affected by this Policy**

All students enrolled at the University of Oregon, Division of Student Life, and Academic Affairs

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**Web Site Address for this Policy**

<https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-1-conduct/student-conduct-code>

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**Responsible Office**

For questions about this policy, please contact the Office of Student Conduct and Community Standards at (541) 346-1141 or [conduct@uoregon.edu](mailto:conduct@uoregon.edu)

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**Enactment & Revision History**

Amended by the Board of Trustees on March 5, 2019  
Temporary Emergency Changes Approved by the President and made effective Dec. 17, 2018.  
Amended by the Board of Trustees on June 8, 2018  
Technical revisions made by the Secretary on June 29, 2015  
Amended by the Board of Trustees on June 4, 2015  
Amended by the Board of Trustees on September 11, 2014  
Become UO policy by operation of law on July 1, 2014  
Enacted as OAR Chapter 571, Division 21 in 2006

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**Policy**

All revisions to Student Conduct Code procedures, including but not limited to jurisdictional revisions, shall apply retroactively to pending Student Conduct complaints, filed on or after September 11, 2014.

**Section 1: Student Conduct Policies****I. Mission**

[REDACTED – NO CHANGES]

**II. Definitions**

For purposes of the Student Conduct Code,

1. “Academic Misconduct” means the violation of university policies involving academic integrity. Examples include, but are not limited to:
  - a. Intentional tampering with grades, resubmitting assignments for more than one class without the permission of the professor; and
  - b. Intentionally taking part in obtaining or distributing any part of a test that has not been administered;
  - c. Cheating, as defined in this code;
  - d. Plagiarism, as defined in this code;
  - e. Knowingly furnishing false information to a University Official; and
  - f. Fabrication, as defined in this code.
2. “Accused Student” means any student accused of violating the Student Conduct Code.
- ~~2.3.~~ “Cannabis” means the parts, products, and derivatives of the plant Cannabis sativa, indica, ruderalis and hybrid strains, regardless of the delta-9-tetrahydrocannabinol level. Cannabis is a Schedule I substance under the Controlled Substances Act, 21 U.S.C. 811 to 812. This does not include FDA approved substances as permitted in 1 CFR 1308.15(f) or industrial hemp as permitted by federal law, 7 U.S.C. 1639o. Pursuant to federal law, medical use of cannabis is prohibited on University Premises and at University Sponsored Events.
- ~~3.4.~~ “Cheating” means any act of deception by which a student misrepresents or misleadingly demonstrates that the student has mastered information on an academic exercise that the student has not mastered. Examples include but are not limited to:
  - a. Giving or receiving unauthorized help in an academic exercise;
  - b. Use of sources or resources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
  - c. Acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff; and
  - d. Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

- ~~4-5.~~ “Community Standards Administrator” means the University official, as designated on a case-by-case basis by the Director of Student Conduct and Community Standards, authorized to impose sanctions upon any student found to have violated the Student Conduct Code.
- ~~5-6.~~ “Student Conduct Committee” means the Committee established pursuant to this Code, comprised of persons appointed by the President with the responsibility for formulating, approving or recommending changes related to the Student Conduct Program.
- ~~6-7.~~ “Complainant” means any person who submits a complaint alleging that a student violated the Student Conduct Code. The Complainant need not be a person who was the target or victim of the alleged violation.
- ~~7-8.~~ “Contacting” has its common meaning. It includes, but is not limited to, communicating with or remaining in the physical presence of the other person. “Contact of a sexual nature” for purposes of Sexual Misconduct in the Student Conduct Code means: intentionally touching part of another person’s body that, under the circumstances, a reasonable person would know that the other person regards as an intimate part, including but not limited to the other person’s genitals, breasts, groin, or buttocks, without the consent of the other person; intentionally causing a person to touch an intimate part of another person; or, intentionally causing a person to touch their own intimate part. For this definition, “touching” includes contact made with bodily fluids.
9. “Contempt” means disregard of, or disobedience to, the rules or orders of any process under this Code or an interruption of its proceedings by disorderly behavior or insolent language in a way or place that disturbs the proceedings or ignores the authority of the tribunal.
- ~~8-10.~~ “Controlled Substance” means a drug or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C. 811 to 812, or as defined in ORS 475.005 or modified under ORS 475.035.
- ~~9-11.~~ “Dean of Students” is the person designed by the University President and Vice President for Student Life as the person titled with and given responsibility for oversight of the Dean of Students portfolio.
- ~~10-12.~~ “Director of Student Conduct and Community Standards” is the person designated by the University Senate, Board of Trustees and University President or designee to be responsible for the administration of the Student Code.
- ~~11.~~ “Drug” means a controlled substance or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C. 811 to 812 or as defined in ORS 475.005 or modified in ORS 475.035.
- ~~12-13.~~ “Explicit Consent” for purposes of Sexual Misconduct in the Student Conduct Code means voluntary, non-coerced and clear communication indicating a willingness to engage in a particular act. “Explicit consent” includes an affirmative verbal response or voluntary acts unmistakable in their meaning.

~~13-14.~~ 14-15. “Fabrication” means the intentional use of information that the author has invented when the student states or implies otherwise, or the falsification of research or other findings with the intent to deceive.

~~14-15.~~ 15-16. “Faculty Member” means a person hired by the University to conduct classroom, research or teaching activities or who is otherwise considered by the University to be a member of its faculty, including officers of instruction, officers of research and officers of administration.

~~15-16.~~ 16-17. “Gambling” means an activity in which a person stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under the control or influence of the person, upon an agreement or understanding that the person or someone else will receive something of value in the event of a certain outcome. “Gambling” does not include those activities expressly excluded by ORS167.117.

~~16-17.~~ 17-18. “Harassment” means:

- a. Intentionally subjecting a person to offensive physical contact;
- b. Unreasonable insults, gestures, or abusive words, in the immediate presence, and directed to, another person that may reasonably cause emotional distress or provoke a violent response (including but not limited to electronic mail, conventional mail, social media and telephone) except to the extent such insults, gestures or abusive words are protected expression; or
- c. The University’s policy prohibiting sexual harassment specifically prohibits discrimination on the basis of sex or gender, sexual harassment, sexual violence, sexual assault, dating or domestic violence, sex or gender based stalking or bullying, and other gendered harassment. “Harassment” as defined under the Student Conduct Code will be interpreted to include sexual harassment as defined by the university’s discrimination complaint and response policy. Sexual harassment and sexual misconduct may be committed by any person upon any other person, regardless of the sex, gender, sexual orientation, and/or gender identify of those involved.
- d. Other types of prohibited discrimination, discriminatory harassment, and sexual harassment as defined by law.

~~17-18.~~ 18-19. “Hazing” means any initiation rites, recruitment and continuing involvement and belonging to an organization on or off campus, involving any intentional action or situation that a reasonable person would foresee as causing mental or physical discomfort, embarrassment, or ridicule. Individual acceptance of or acquiescence to any activity that occurs during an initiation rite does not affect a determination of whether the activity constitutes hazing. Activities and situations that may occur as part of hazing include, but are not limited to:

- a. Sleep deprivation or causing excessive fatigue;

- b. Physical or psychological shock;
- c. Public stunts or jokes;
- d. Compelled ingestion of any substance;
- e. Degrading or humiliating games or activities;
- f. Activities that have an adverse effect on academic progress;
- g. Forced servitude;
- h. Activities which are not consistent with the parent organization's rules and regulations; or
- i. Other activities which violate Federal, State, or local laws or University of Oregon policy.

~~18-19.~~ 19-20. "Institution" means the University of Oregon and all of its undergraduate, graduate and professional schools, divisions, activities and programs and may be used interchangeably with "University."

~~19-20.~~ 20-21. "May" is used in the permissive sense.

~~20-21.~~ 21-22. "Mental Disorder" for purposes of Sexual Misconduct in the Student Conduct Code means that a person suffers from a mental disease or disorder that renders that person incapable of appraising the nature of the conduct of another person.

~~21-22.~~ 22-23. "Mental Incapacitation" for purposes of Sexual Misconduct in the Student Conduct Code means that a person is rendered incapable of appraising or controlling one's own conduct at the time of the alleged offense because of the influence of a controlled or intoxicating substance or because of any act committed upon the person without consent. Minors and children are unable to provide consent when defined as such by Oregon law.

~~22-23.~~ 23-24. "Member of the University Community" includes any person who is a student, faculty member, University official or any person employed by the University.

~~23-24.~~ 24-25. "Penetration" for purposes of Sexual Misconduct in the Student Conduct Code means any degree of insertion, however slight, by any body part or object into the oral, anal, or vaginal parts of a person.

~~24-25.~~ 25-26. "Physical Helplessness" for purposes of Sexual Misconduct in the Student Conduct Code means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to engage in an act.

~~25-26.~~ 26-27. "Plagiarism" means using the ideas or writings of another as one's own. It includes, but is not limited to:

- a. The use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement; and
- b. The unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

~~26-27.~~ "Policy" means the written regulations of the University. Examples of where written policies may be found include, but are not limited to:

- a. The Student Conduct Code;
- b. Residence Life Contract;
- c. Information posted by the University on its web pages;
- d. Computer Acceptable Use Policy;
- e. Living Group Alcohol Policy;
- f. Greek Social Policy;
- g. Graduate/Undergraduate Catalog; and
- h. Student Handbook.

~~27-28.~~ "President" means the University President.

~~28-29.~~ "Shall" and "will" are used in the imperative sense.

~~29-30.~~ "Sexual Misconduct" means:

- a. Unwanted Penetration is Penetration of another person, or causing the Penetration of another person, when one:
  - A. Does not first obtain Explicit Consent from that person; or
  - B. Knows or should have known the person was incapable of explicit consent by reason of Mental Disorder, Mental Incapacitation, or Physical Helplessness.
- b. Nonconsensual personal contact occurs when a student subjects another person to contact of a sexual nature when a reasonable person would know that such contact would cause emotional distress:
  - A. Without having first obtained Explicit Consent; or
  - B. When he or she knows or should have known the person was incapable of explicit consent by reason of Mental Disorder, Mental Incapacitation, or Physical Helplessness.
- c. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is unwelcome and sufficiently severe or pervasive that interferes with work or access to educational benefits and opportunities because it has created an intimidating, hostile, or degrading environment and would have such an effect on a reasonable person of the alleged complainant's status.
- d. A single episode of behavior that meets a., b., or c. can be sufficient for a finding of sexual misconduct.

~~30-31.~~ "Student" means any person who has student status pursuant to Section IV (Jurisdiction) of this code.

~~31-32.~~ 32. “Student Organization” means any group of University of Oregon students meeting criteria for organizational recognition established by the University.

~~32-33.~~ 33. “University” means the University of Oregon and all of its undergraduate, graduate and professional schools, divisions, activities and programs and may be used interchangeably with “institution.”

~~33-34.~~ 34. “University Appeals Board” means the person or persons authorized by this Code to consider an appeal from the outcome of an administrative conference.

~~34-35.~~ 35. “University Official” means a person having assigned University responsibilities who is performing their University assignment.

~~35-36.~~ 36. “University Premises” includes all land, buildings or grounds owned, leased, operated, controlled or supervised by the University including adjacent sidewalks and streets.

~~36-37.~~ 37. “University Sponsored Activity” means any activity, including activities sponsored or organized by recognized student organizations, on or off University premises that is directly initiated or supervised by the University.

~~37-38.~~ 38. “Unwanted Contact” means repeated or persistent contact or attempts to contact another person when the contacting person knows or should know that the contact is unwanted by the other person; and

- a. The contact would cause a reasonable person fear of physical harm; or
- b. The contacting person knows or should know that the contact substantially impairs the other person’s ability to perform the activities of daily life.

### III. Delegations and Authority

[REDACTED – NO CHANGES]

### IV. Jurisdiction

[REDACTED – NO CHANGES]

### V. Student Conduct Code Violations

The following conduct violates the community standards that are essential to the core educational mission of the University of Oregon and subjects a Student or Student Organization to sanctions under the Student Conduct Code: (see Section 1, I for definitions)

1. **Standards Relative to Academic and Personal Integrity.** Integrity is a bedrock value of the University community and includes respect for open and honest intellectual exchange as well as respect for University records and for the Student Conduct Code itself. The following conduct violates standards of academic integrity:

[REDACTED – NO CHANGES]

2. **Standards Relative to Respect for Property and for Shared University Resources.** The following conduct violates standards of respect for property and shared University resources:

[REDACTED – NO CHANGES]

3. **Standards Relative to the Rights of Individuals and to the Welfare of the University Community.** An environment conducive to learning is one where the rights, safety, dignity and worth of every individual are respected. The following conduct endangers such an environment, and threatens the welfare of the University community as a whole:
- a. Physical contact that endangers, threatens, or harms the health or safety of any person or behavior that causes a reasonable person to fear such contact;
  - b. Hazing, as defined in this code and by Oregon Revised Statute;
  - c. Possession, use, or threatened use of a weapon, ammunition, or any object or substance used as a weapon on University Premises or at a University Sponsored Activity unless expressly authorized by law or University Policy. A concealed weapons permit does not constitute authorization.
  - d. Unauthorized possession, use, or threatened use of dangerous chemical or biological substances or explosives;
  - e. Tampering with fire-fighting equipment, turning in a false alarm, or engaging in conduct that constitutes a significant fire hazard;
  - f. Harassment, as defined in this code because of another person's race, ethnicity, color, gender, gender identification, national origin, age, religion, marital status, disability, veteran status, sexual orientation, or for other reasons, including but not limited to harassment prohibited by University Policy;
  - g. Unwanted Contact, as defined in this code;
  - h. Sexual Misconduct as defined in this code;
    - A. Sexual gratification or pleasure of any party involved is not relevant to a determination of whether Sexual Misconduct occurred.
    - B. A violation of provisions of the alcohol or drug policy in the Student Conduct Code does not affect a person's ability to file a complaint regarding another person's Sexual Misconduct on the same occasion.
    - C. Consent to one form of sexual activity does not automatically operate as explicit consent to any other form sexual activity. A "no" always means that explicit consent is not present, whereas a "yes" to one act at one time does not mean "yes" to other acts or to the same act at other times. Voluntarily making oneself incapacitated does not mean one is giving explicit consent to any form of sexual activity.

## i. Prohibited alcohol use, which includes:

- A. Possession or consumption of alcohol by those under the legal drinking age – where the incident occurred - 21 years of age on University Premises or at a University Sponsored Activity or when applicable under rules regulating “Off-Campus Jurisdiction” (section 2,IV,2,b of this Code);
- B. Furnishing of alcohol to a person under the legal drinking age – where the incident occurred 21 years of age; or
- C. Consumption of an alcoholic beverage by a person at least the legal drinking age – where the incident occurred -21 years of age or furnishing of an alcoholic beverage by or to a person at least the legal drinking age – where the incident occurred 21 years of age, except in such areas and at such times as the University authorizes.

j. Prohibited cannabis use on University Premises or at a University Sponsored Activity, or other property when applicable under rules regulating “Off-Campus Jurisdiction” (section 2,IV,2,b of this Code), which includes:

- A. Use, possession, or procurement of cannabis except as expressly permitted by both State and Federal Law;
- B. Furnishing, cultivation, manufacturing, distributing, or selling cannabis except as expressly permitted by both State and Federal law; or
- C. Causing another to ingest cannabis without consent.

j-k. Prohibited controlled substance use on University Premises or at a University Sponsored Activity, or other property when applicable under rules regulating “Off-Campus Jurisdiction” (section 2,IV,2,b of this Code), which includes: ~~drug use, which includes:~~

- A. Use, possession, or procurement of a controlled substance except as expressly permitted by both State and Federal law; ~~Manufacture, processing, distribution, or cultivation of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity, except as expressly permitted by both State and Federal law;~~
- B. Furnishing, cultivation, manufacturing, distributing, or selling of a controlled substance except as expressly permitted by both State and Federal law; ~~or Sale of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity; or~~
- C. Causing another to ingest a controlled substance without consent. ~~Possession of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity except as expressly permitted by law.~~

l. Smoking and Tobacco Products

A. Smoking and Tobacco Use, including “vaping”, is prohibited on University owned or controlled property by University Policy (IV.07.09)

B. Possession of tobacco products and inhalant delivery systems (“e-cigarettes”) by those under 21 years of age on University Premises or at a University Sponsored Activity, is prohibited in accordance with state law.

C. This does not prohibit the use or possession of products that have been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, provided the product is marketed, sold, and used solely for the approved purpose.

k.m. Lewd or indecent conduct on University Premises or at a University Sponsored Activity. Lewd or indecent conduct includes, but is not limited to, any unauthorized use of electronic or other devices to make an audio or video record that would be an invasion of privacy pursuant to ORS163.700. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.

l.n. Gambling, as defined and prohibited in ORS167.108 to 167.164 except as authorized by ORS464.270 to 464.530.

m.o. Violation of Law: Actions and behaviors that violate local, state, or federal law, but are not expressly defined in the standards above, which negatively and significantly impact the university community and its members, may also be addressed through the procedures set forth in this code.

## VI. Sanctions

[REDACTED – NO CHANGES]

### Section 2: Student Rights

**Procedural fairness is basic to the proper enforcement of all University regulations. Accordingly, no disciplinary action shall be initiated or sanction imposed against a Student or Student Organization until they have been notified in writing of the complaints against them and their rights under this Code, and given the opportunity to be heard. Complainants shall also be accorded certain accommodations, as provided below.**

1. Regulations and disciplinary sanctions affecting the conduct of all Students shall be based on general principles of equal treatment.
2. The Director of Student Conduct and Community Standards shall insure that the best interests of Students and Student Organizations are served, regardless of whether disciplinary action is taken, by making full use of appropriate medical, counseling and other professional services at the University, or if necessary by making referrals to community

resources. For purposes of this Division, the Director may authorize another staff member to carry out any of the Director's responsibilities unless expressly prohibited from doing so.

3. Students shall have an opportunity to participate in the formulation of all regulations and policies pertaining to the Student Conduct Code at the University of Oregon.
4. All University regulations and policies pertaining to student discipline shall be published, distributed, or posted in such a manner as to furnish adequate notice of their contents to Students or Student Organizations.
5. Students accused of violations of the Student Conduct Code can expect the following procedural protections:
  - a. To be informed of the complaint and alleged misconduct upon which the complaint is based;
  - b. To appear before the Director of Community Standards or their designee in an administrative conference, as outlined at in this code;
  - c. To be allowed reasonable time to prepare for the conference;
  - d. To be informed of the information upon which a complaint is based and accorded an opportunity to offer a relevant response;
  - e. To propose relevant witnesses and submit suggested questions to the Director;
  - f. To be assured of confidentiality, in accordance with the terms of the federal Family Educational Rights and Privacy Act and Oregon law;
  - g. To request that any person conducting a disciplinary conference be disqualified on the ground of personal bias;
  - h. To be considered not responsible for the alleged conduct until proven responsible by a preponderance of the information;
  - i. To have an adviser of their choice present at the conference provided that the advisor's schedule does not unreasonably delay the conference. The director shall determine what constitutes an "unreasonable" delay.
6. A student accusing another student of a violation of the Student Conduct Code can expect the following procedural accommodations:
  - a. To be allowed reasonable time to prepare for any participation in the conference;
  - b. To be accorded the opportunity to offer a relevant response to any assertions made;
  - c. To propose relevant witnesses and submit suggested questions to the Director;
  - d. To be assured of confidentiality, in accordance with the terms of the federal Family Educational Rights and Privacy Act and Oregon law;
  - e. To request that any person conducting a disciplinary conference be disqualified on the ground of personal bias;

- f. To be protected against retaliation for filing a complaint;
  - g. To have an advisor of their choice present at the conference provided that the advisor's schedule does not unreasonably delay the proceeding. The Director shall determine what constitutes an "unreasonable" delay;
  - h. Upon request in the case of sexual misconduct, to be present in a separate room instead of the same room as the accused student.
  - i. ~~The University of Oregon is committed to providing an education environment that is accessible to all students. Students in need of accommodations due to a disability should contact the Accessible Education Center (AEC) as soon as possible. Any accommodations deemed necessary and approved by the AEC will be incorporated into the student conduct process as possible.~~
7. Students who participate in investigations, meetings, and/or other conduct proceedings should be aware that sharing information, which implicates a potential violation of this code, with a hearings officer may result in new or additional student conduct action. If a student chooses to remain silent during the conduct process, the hearings officer will not draw adverse inference. If a student chooses to answer some questions but not others or chooses to participate in some portions of the process but not others, the hearings officer may consider how that affects the credibility or weight of the information that student chooses to provide.
8. The University of Oregon is committed to providing an education environment that is accessible to all students. Students in need of accommodations due to a disability should contact the Accessible Education Center (AEC) as soon as possible. Any accommodations deemed necessary and approved by the AEC will be incorporated into the student conduct process as possible.

### Section 3: Administration of the Student Conduct Process

#### I. Administrative Policies

[REDACTED – NO CHANGES]

#### II. Student Conduct Procedures

**This section of the code describes the process that the Student Conduct office adheres to following an alleged violation of the code.**

1. Complaint. Any Member of the University Community or the public may file a complaint against a Student (or non-enrolled student as defined in this code) for a violation of the Student Conduct Code. A complaint shall be prepared in writing and directed to the Director of Student Conduct and Community Standards. Any complaint should be

submitted as soon as possible after the alleged violation takes place, preferably within one year. Jurisdiction is determined pursuant to Section 1 of this code. The longer one waits to file a complaint the less information is likely to be available for the hearing, therefore it is important to file a complaint as soon as possible. Once the Office of Community Standards receives a complaint, the Office has 60 days to send written notice to the accused Student of the complaint, unless for good cause an extension of six months is provided in writing by the Vice President for Student Life's designee

2. Notice. Upon receiving a complaint or notice that a Student may have violated the Student Conduct Code, the Director of Student Conduct and Community Standards shall assess whether an informal resolution, alternative resolution, formal student conduct action, or other process is appropriate. If the Director of Student Conduct deems formal student conduct action to be appropriate, the Director will issue a written notice to the Student via their official University of Oregon address. Such notice shall inform the student of:
  - a. The alleged Code violation;
  - b. The opportunity for the student to meet with the Director for purposes of discussing the options for disposition of the case;
  - c. Whether the accused student may be subject to suspension, expulsion, or negative transcript notation. After issuing Notice, if the Director receives additional information which could elevate the potential sanction to suspension, expulsion, or transcript notation, the Director will issue a new written notice to the accused student to initiate new proceedings.
  - ~~e~~.d. The Student's right to assistance. At an administrative conference with the Director (or their designee or before the Appeals Board, of the Vice President for Student Life's designee, if applicable, a Student may, but need not represent his or her own interests, or be assisted by someone including but not limited to one of the following representatives:
    - A. The Office of Student Advocacy;
    - B. Another Student;
    - C. A member of the faculty or administration;
    - D. An attorney.
  - ~~d~~.e. The requirement to respond within 7 calendar days to arrange a meeting with the hearing officer. The hearing officer will proceed as provided below if the Student does not arrange to meet or fails to meet with the hearing officer as arranged.
  - ~~e~~.f. To the extent the University provides free legal representation to students who are party to student conduct proceedings, it will ensure that free legal representation is equally available to student respondents and student complainants.
3. Response: If after receiving notice, pursuant to this rule, the Student does not arrange to meet with the Director within 7 days or if the Student arranges to meet with the Director

but does not attend such a meeting, the Director of Student Conduct and Community Standards may take any of the actions specified in this code for disposition of the case without consultation with or agreement by the Student.

4. With the consent of an Accused Student, the Director of Student Conduct and Community Standards may defer proceedings for alleged minor violations of this Code for a period not to exceed ninety days. Pending complaints may be withdrawn thereafter at the discretion of the Director of Student Conduct and Community Standards or designee.

### III. Administrative Conferences

[REDACTED – NO CHANGES]

### IV. Appeals

**The University Appeals Board (Appeals Board) is the final appeals body within the Student Conduct Program. The Appeals Board shall be responsible for reviewing substantive or procedural appeals from the decisions issued following an administrative conference.**

1. A decision reached through an administrative conference may be appealed by the Accused Student or Complainant(s) within fourteen calendar days of the decision. Such appeals shall be in writing, state the basis for the appeal and be delivered to the Office of Student Conduct and Community Standards. All appeals of cases involving sexual misconduct will be heard directly and exclusively by the Vice President for Student Life's designee; all other appeals will be heard by the Appeals Board.
  - a. An Accused Student who does not attend the administrative conference may appeal only to show with direct information that the Accused Student did not receive notice of the conference.
  - b. A Complainant(s) who fails to attend any requested meetings with the Director or fails to present information in a format approved by the Director may appeal only to show with direct information that the Complainant did not receive notice of the hearing.
2. Except as the Appeals Board or the Vice President for Student Life's designee determines necessary to explain the basis of new information, an appeal is limited to a review of the verbatim record of the administrative conference and supporting documents:
  - a. To determine if the administrative conference was conducted fairly in light of the complaint made and information presented and in conformity with procedures required in this Code, giving the Complainant a reasonable opportunity to present information, and giving the Accused Student reasonable notice and an opportunity to prepare and to respond to the allegations. A deviation from procedures required by this Code will not be a basis for sustaining an appeal unless significant prejudice results;

- b. To determine whether the decision reached regarding the Accused Student was based on substantial information, that is, whether there were facts that, if believed by the Director or designee were sufficient to establish that a violation of the Code occurred;
  - c. To determine whether the sanction(s) imposed were commensurate with violation;
  - d. To consider new information sufficient to alter a decision or other relevant facts not brought out in the original hearing only if such information or facts were not known to the person appealing at the time of the hearing.
3. No decision of may be overruled by the Appeals Board except through an affirmative vote of a majority of the Appeals Board members present. If the Appeals Board or the Vice President for Student Life's designee overrules a decision in whole or in part, it may:
- a. Modify the decision or sanction; or
  - b. Remand for further proceeding.
4. If the Appeals Board grants an appeal on the basis of "new information" (section 3.IV.2.d of this code) the only action the Appeals Board may take is to remand for further proceeding.
- 4.5. An accused student who appeals a decision to the Appeals Board, will not be subject to increased sanction by the Appeals Board.

## V. University Appeals Board

**The University Appeals Board is one option that the student has to have their case reviewed. This section of the code outlines how the members of the Appeals Board are chosen.**

1. The University Appeals Board (Appeals Board) is the final appeals body within the Student Conduct Program. As set forth in this code, the Appeals Board shall be responsible for reviewing substantive or procedural appeals from the decisions of all administrative conferences in cases except those involving sexual misconduct which shall be appealed directly to the Vice President for Student Life's designee.
2. Membership. The Appeals Board shall consist of three-five faculty members, recommended by the Committee on Committees of the University Senate, and three-five student members, recommended by the ASUO. Board members shall be appointed by the President and serve for one-year terms. They may be reappointed, but no member may serve for more than two consecutive terms. Temporary members may be appointed to assure full Appeals Board membership during summer session or at such other times as are necessary. The President shall designate one of the members as pro tempore chair of the Appeals Board.

3. The Appeals Board will elect its permanent chair at its first meeting. A quorum shall consist of two students and two faculty members. The Appeals Board shall establish its own rules of procedure [for Appeals Board meetings](#).

## **VI. Imposition of Sanctions, Adjudication of Contempt and Failure to Complete Assigned Sanctions**

[REDACTED – NO CHANGES]

### **Section 4: Academic Misconduct Procedures**

[REDACTED – NO CHANGES]

### **Section 5: Alternative Dispute Resolution**

[REDACTED – NO CHANGES]

### **Section 6: Emergency Action**

[REDACTED – NO CHANGES]

### **Section 7: Student Conduct Process for Student Organizations**

[REDACTED – NO CHANGES]

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## **Related Resources**

NA

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## Agenda Item #6

PERS

Given the ongoing pressures on the UO's budget due to biennial PERS cost increases, trustees asked for a more in-depth discussion about PERS. Below is a summary of current PERS statistics and information.

**THE UO'S CURRENT ANNUAL RETIREMENT CONTRIBUTION (INCLUDES ALL PERS TIERS AND PLANS)**

- FY18 (final numbers) = \$52.5 million in E&G funds (\$74.9 million all funds)
- FY19 (estimates as year is in progress) = \$55.03 million in E&G (\$77.5 million all funds)
- This number will jump dramatically in FY20 when the next rate increase takes effect (exact impact TBD)

**PERS BY THE NUMBERS<sup>1</sup>**

- **Unfunded Actuarial Liability (UAL)** as of December 31, 2017 **\$22.3 billion<sup>2</sup>**
  - Percent Funded **73%**
- The **largest component of the system's total liability is benefits owed to employees who were hired before 1996 (Tier 1)**. This is due to the fact that structural changes were made to PERS by the legislature in 1995 creating a "Tier 2" set of benefits.
  - The legislature again made changes in 2003, limiting "Tier 2" benefits to those hired between January 1, 1996, and August 28, 2003. Those hired after August 28, 2003 receive Oregon Public Service Retirement Plan (OPSRP, "op-surp") benefits.
  - Current Retirees by Membership Group as of December 31, 2017
    - Tier 1 = 127,687
    - Tier 2 = 13,180
    - OPSRP = 4,115
- The **PERS Board sets assumed rates of return for PERS investments**, which in turn drive calculations around how many assets are available to pay benefits and, thus, the level of the UAL.
  - **The assumed rate of return was recently lowered from 7.5% to 7.2%**
  - Recent actual vs. assumed rates of return for the last few years:

Year	Actual	Assumed
2012	14.29	8.0
2013	15.76	7.75
2014	7.29	7.75
2015	2.21	7.5
2016	6.9	7.5
2017	15.3	7.2
2018		7.2

<sup>1</sup> From "PERS by the Numbers" last updated October 2018 - <https://www.oregon.gov/PERS/Pages/index.aspx>

<sup>2</sup> This figure excludes side accounts; including side accounts, the UAL is \$16.7 billion and is 80% funded. Side accounts are deposits which some employers have made in advance to offset future contributions. Many of these deposits are funded with bond proceeds, which adds additional expense.

- The goal of the PERS Board is to **keep the UAL as close to 100% funded as possible.**
  - If a situation existed wherein the UAL was fully funded, the policy is to hold or lower rates to keep it near that 100% mark.
  - The Board's policy is "to eliminate the UAL and fully fund PERS by increasing employer contributions..." via a 20-year amortization plan.
  - The **"rate collar" is a policy set by the Board which limits (or "collars") the maximum amount an employer contribution can be increased (or decreased) from biennium to biennium.** This helps smooth impacts to employers.
    - The collar limits biennial increases to a level no more than 20% of the current rate
    - If the UAL is less than 60% funded, the collar doubles
    - If the UAL is 60-70% funded, the collar is pro-rated
- **PERS employer rates (excluding side accounts) have nearly doubled since the 2003-05 biennium, from 10.3% to a rate of 25.2% of payroll in 2019-21.<sup>3</sup>**
  - The UAL is expected to peak in 2021-23, and employer rates are expected to peak in 2029-31. The lag is due in part to the collaring mentioned above.
  - Average **employer contribution rates** as a % of covered salary
    - 2019-2021: 25.2%
    - 2017-2019: 20.9%
    - 2015-2017: 17.5%
    - 2013-2015: 16.5%

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<sup>3</sup> This rate does not represent total retirement payments as a percent of payroll because it excludes the 6% employee contribution "pick-up," so named because many employers actually pick up this contribution on behalf of employees.

The logo for PERS SOLUTIONS for Public Services. It features a blue silhouette of the state of Oregon on the left. Inside the silhouette, there are orange and blue figures of people in various poses, suggesting movement or a group. To the right of the silhouette, the word "PERS" is written in large, bold, blue capital letters. Below "PERS", the word "SOLUTIONS" is written in orange capital letters, and below that, "for Public Services" is written in blue lowercase letters.

# PERS SOLUTIONS for Public Services

[WWW.PERSSOLUTIONS.ORG](http://WWW.PERSSOLUTIONS.ORG)

- UO Board of Trustees
- May 23, 2019
- Tim Nesbitt and John Tapogna

# About Us

**PERS Solutions for Public Services** is an information resource for individuals and organizations from across Oregon working to advance cost-sharing reforms to the state's pension system that reduce the impact of PERS on taxpayer budgets, ensure competitive retirement benefits and working conditions for public workers, and preserve and enhance vital public services.

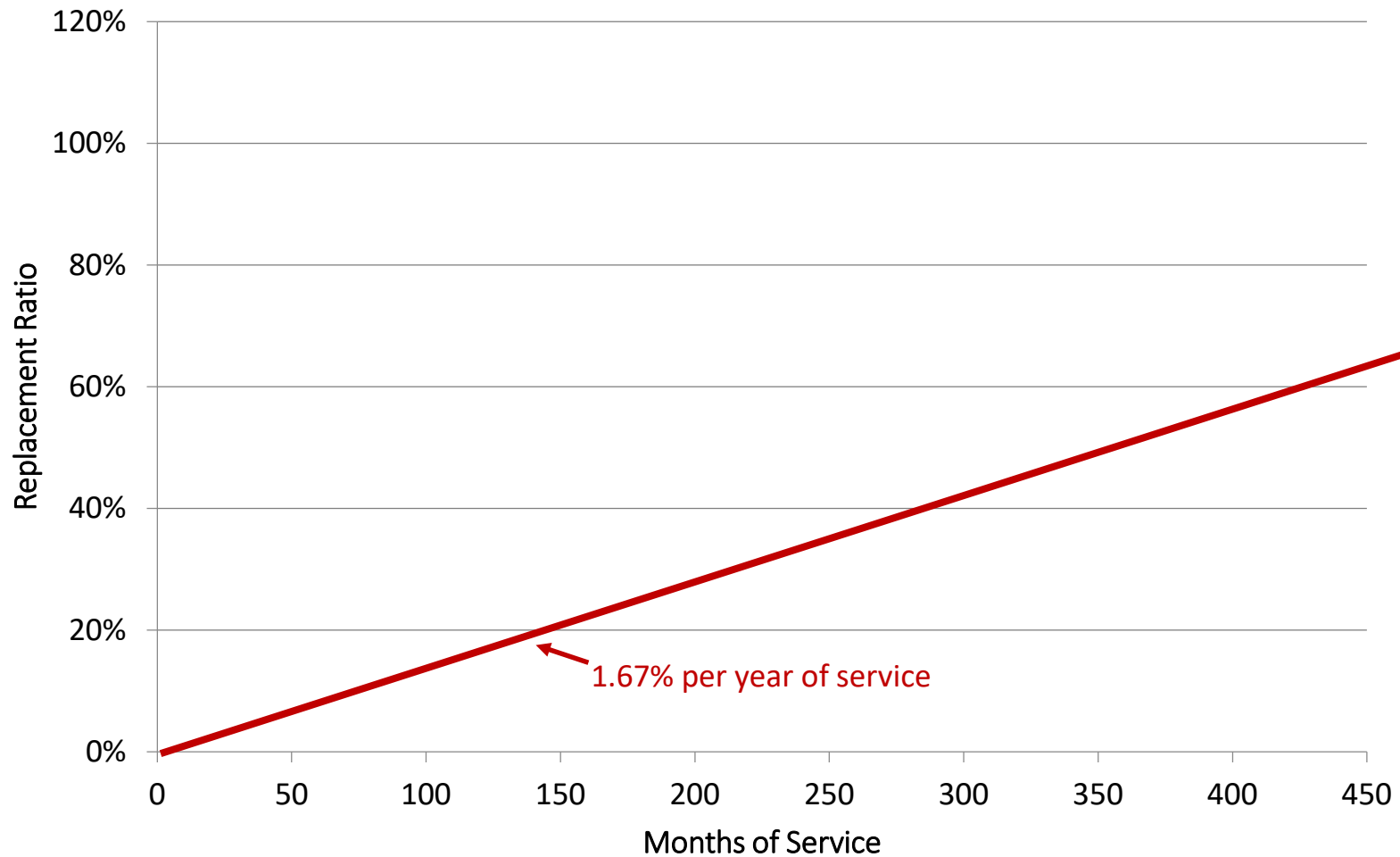
# Causes of the problem



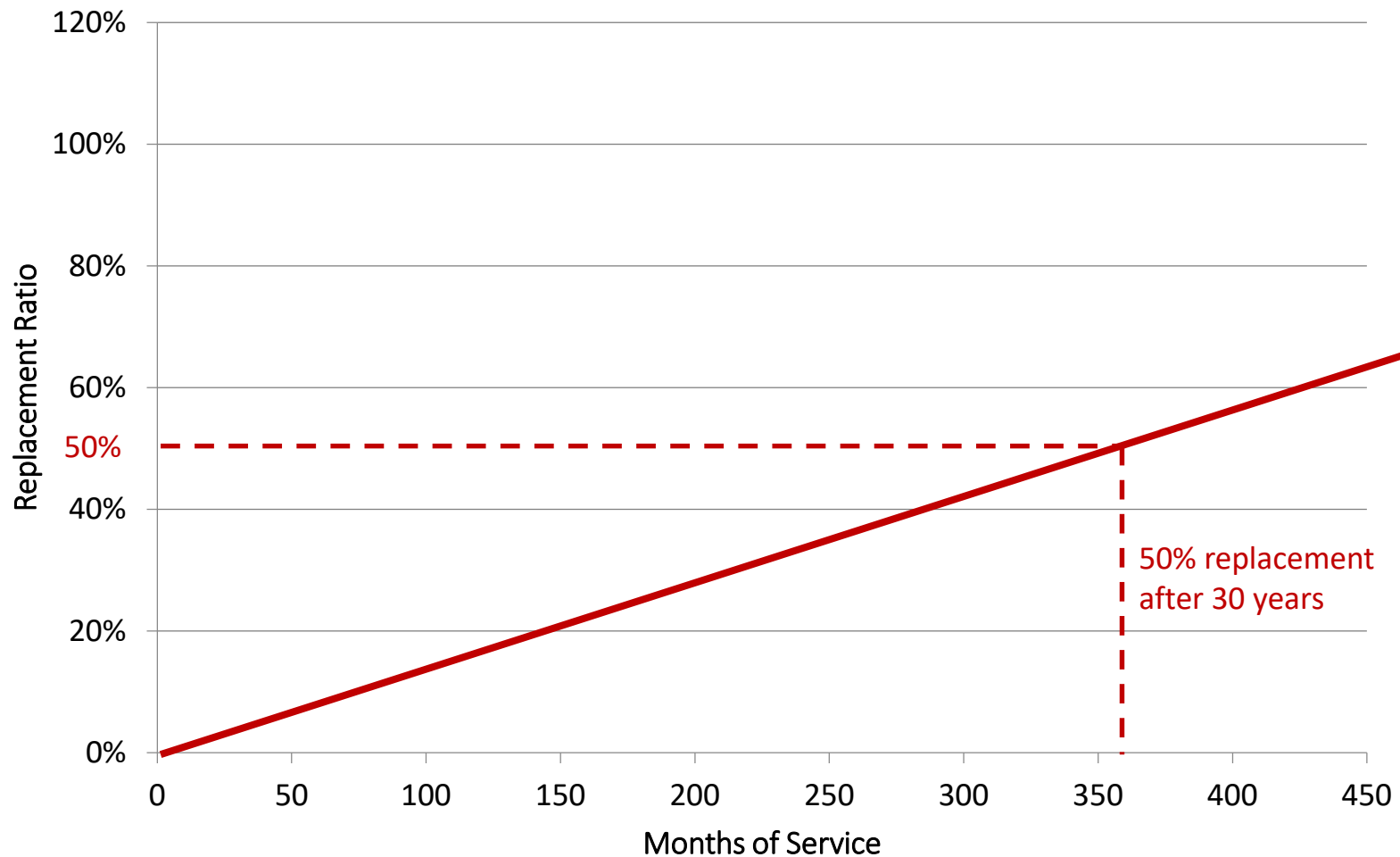
# Short history

- 1945 Legislature creates public pension based on a “money match” concept
- 1967 Legislature creates a guaranteed formula alternative and allows investments in stocks
- 1975 Legislature creates a guaranteed rate of return
- 1995 Legislature enacts Tier 2
- 2003 Legislature enacts OPSRP

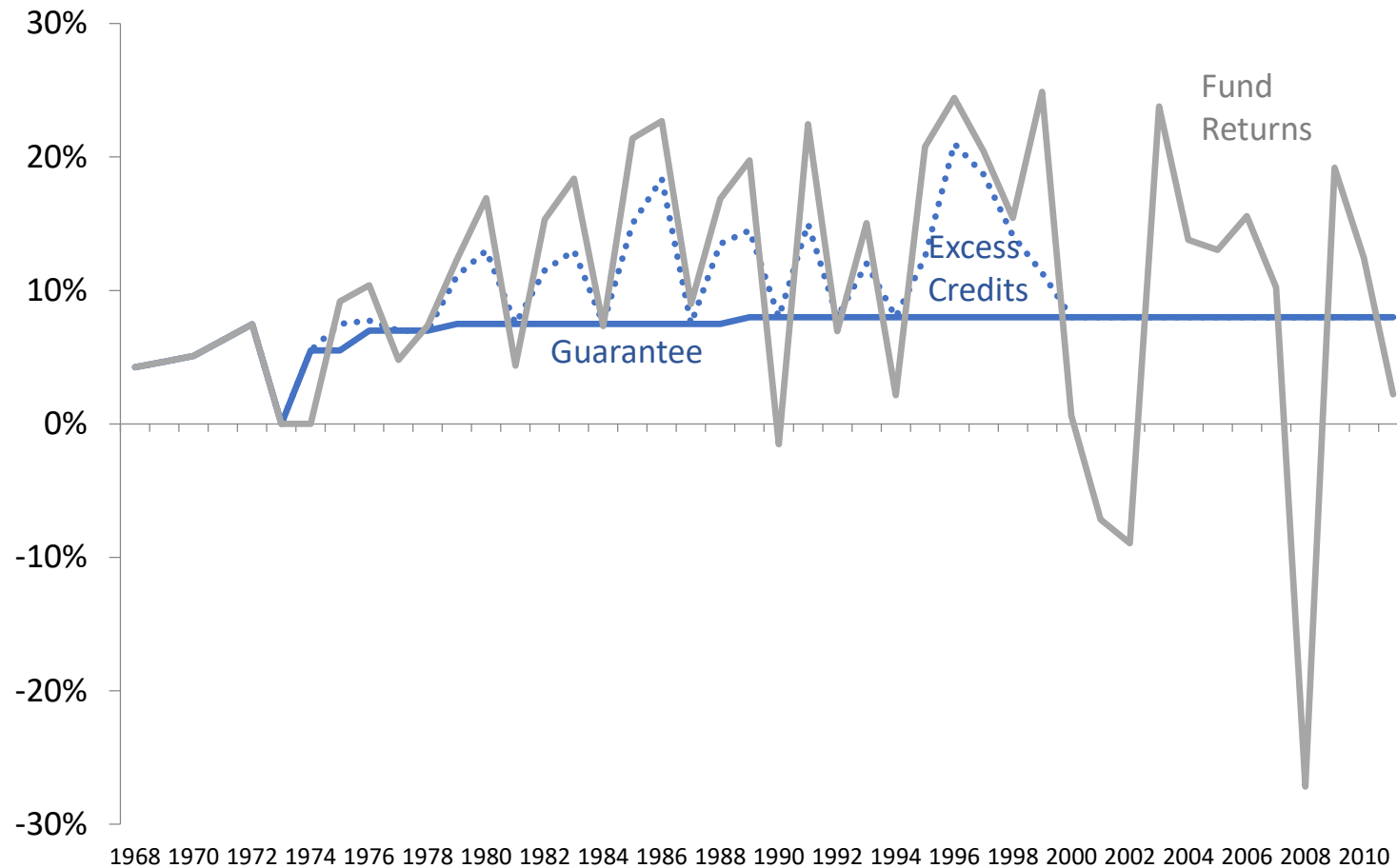
## How the Tier 1 and 2 Formulas Work



## How the Tier 1 and 2 Formulas Work

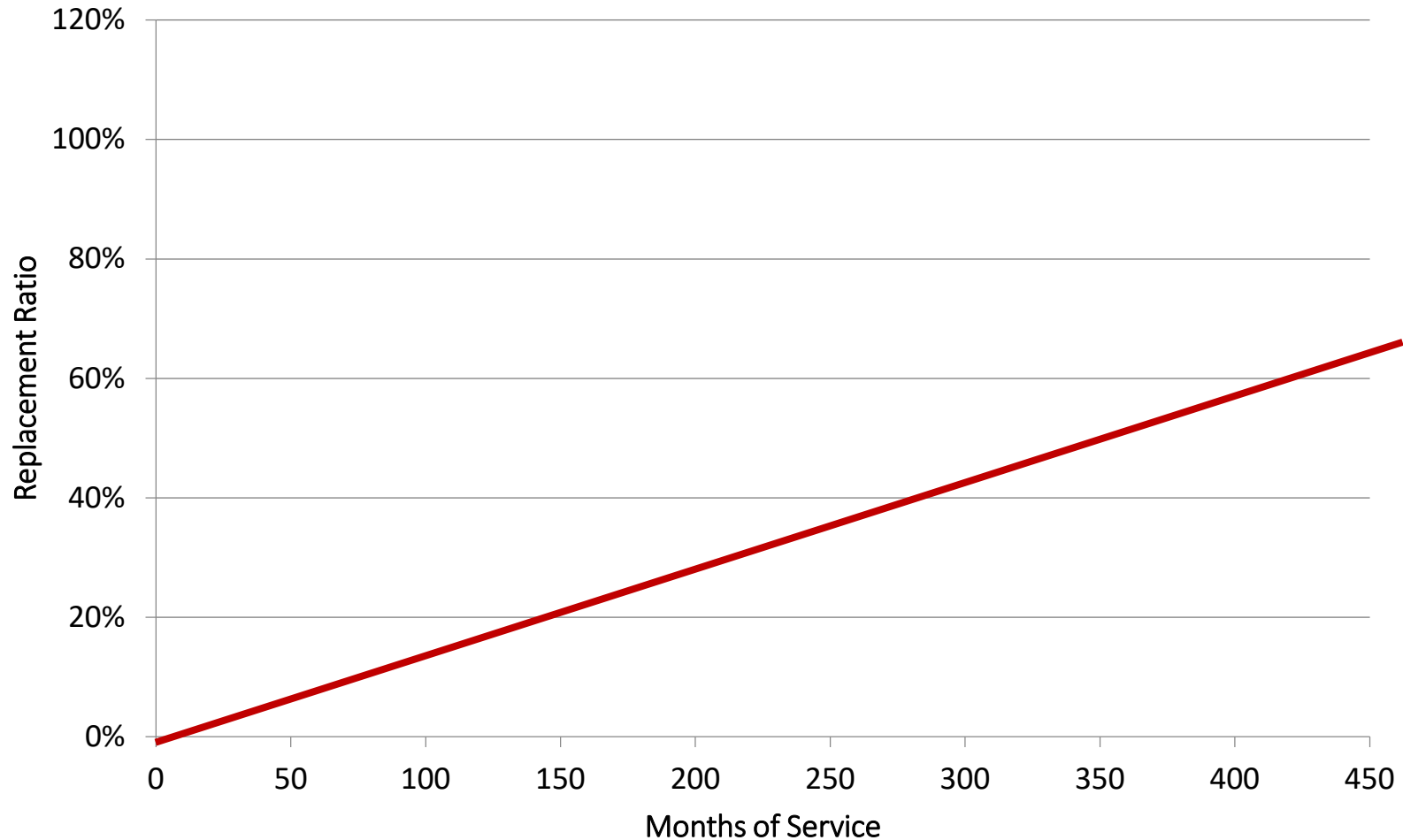


# Returns, Guaranteed Returns, and Excess Crediting

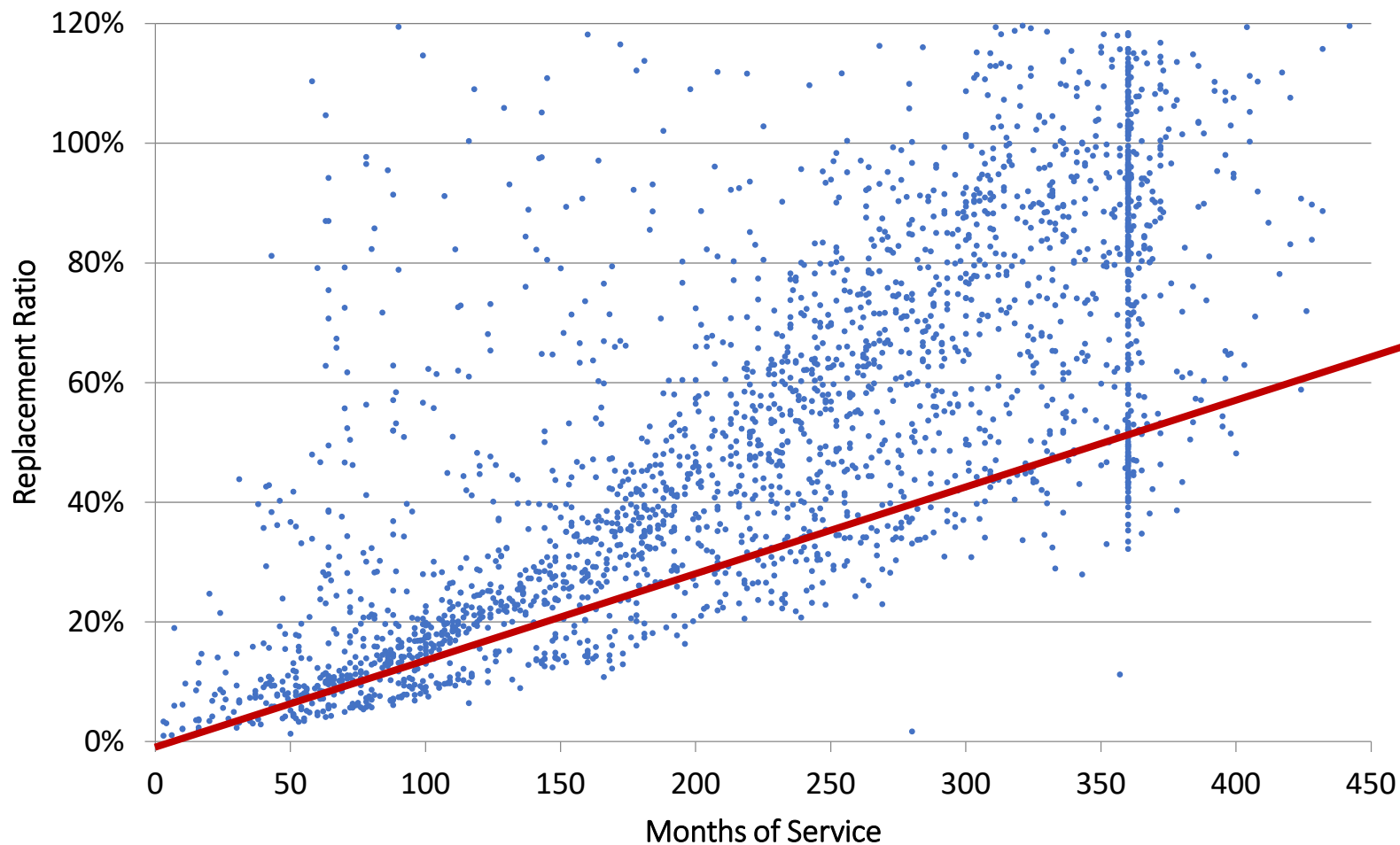


Source: PERS by the Numbers (2012) page 14

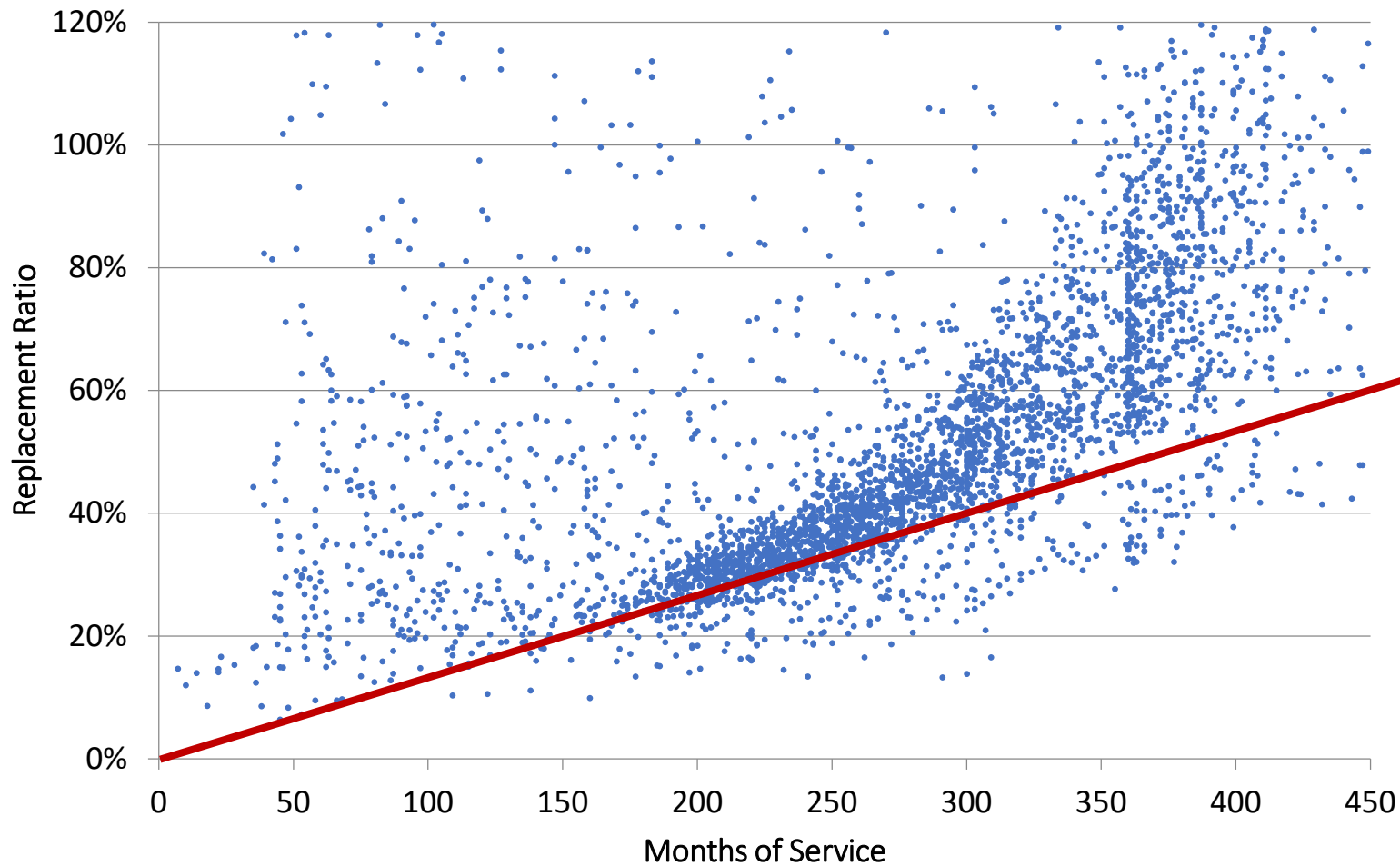
## Replacement Ratios Beneficiaries Who Retired in 2000



## Replacement Ratios for Beneficiaries Who Retired in 2000



## Replacement Ratios for Beneficiaries Who Retired in 2012



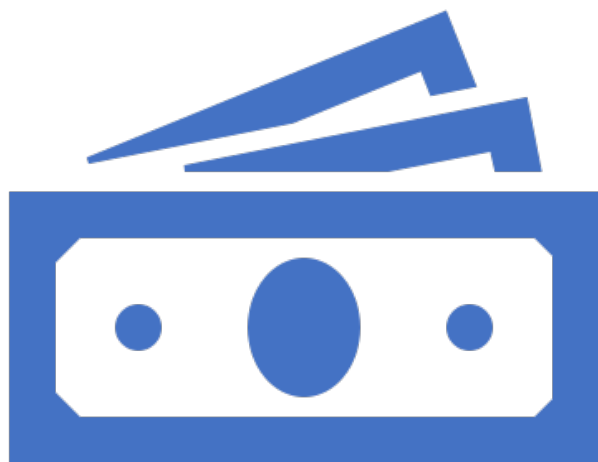
# The Money Match problem

- Money Match payouts (for Tier 1 and 2) are responsible for the lion's share of the PERS UAL
  - Better than years-of-service formula
  - Annuitized at overly generous rates

Money Match payouts continue to represent a sizable portion of retirements (43% in 2017)

Tier 1 and 2 employees with access to Money Match constitute 34% of the current workforce, slightly higher among K-12 employees

# But Money Match isn't the only problem



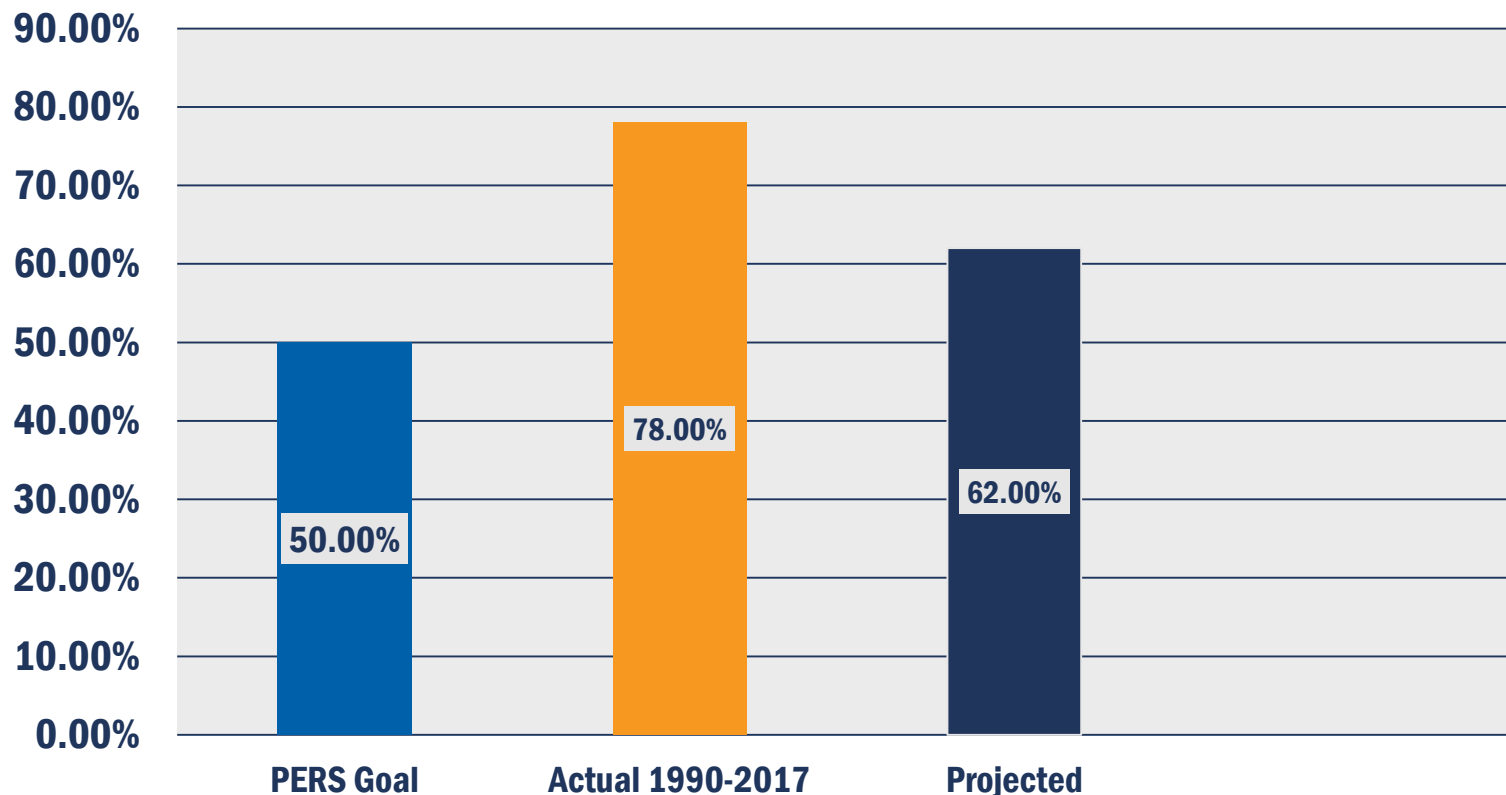
The Tier 1 salary base for the pension formula remains unlimited, while pensionable salaries for Tier 2 and OPSRP are capped at \$275,000/year

The use of unused sick leave and vacation in Tier 1 and 2 inflate final average salaries

Even OPSRP benefits exceed the system's goal for career employees, now that the pension plan is supplemented with the Individual Account program

# Retirement Payouts Overshoot the PERS Target

**Average Initial Retirement Benefits as % of FAS  
for 30-Year Employees**



# Scope of the problem



# PERS Liability

PERS Unfunded Liability = ~~\$22.3~~ 26.6 billion

Per  
Oregon Household

~~\$13,369~~

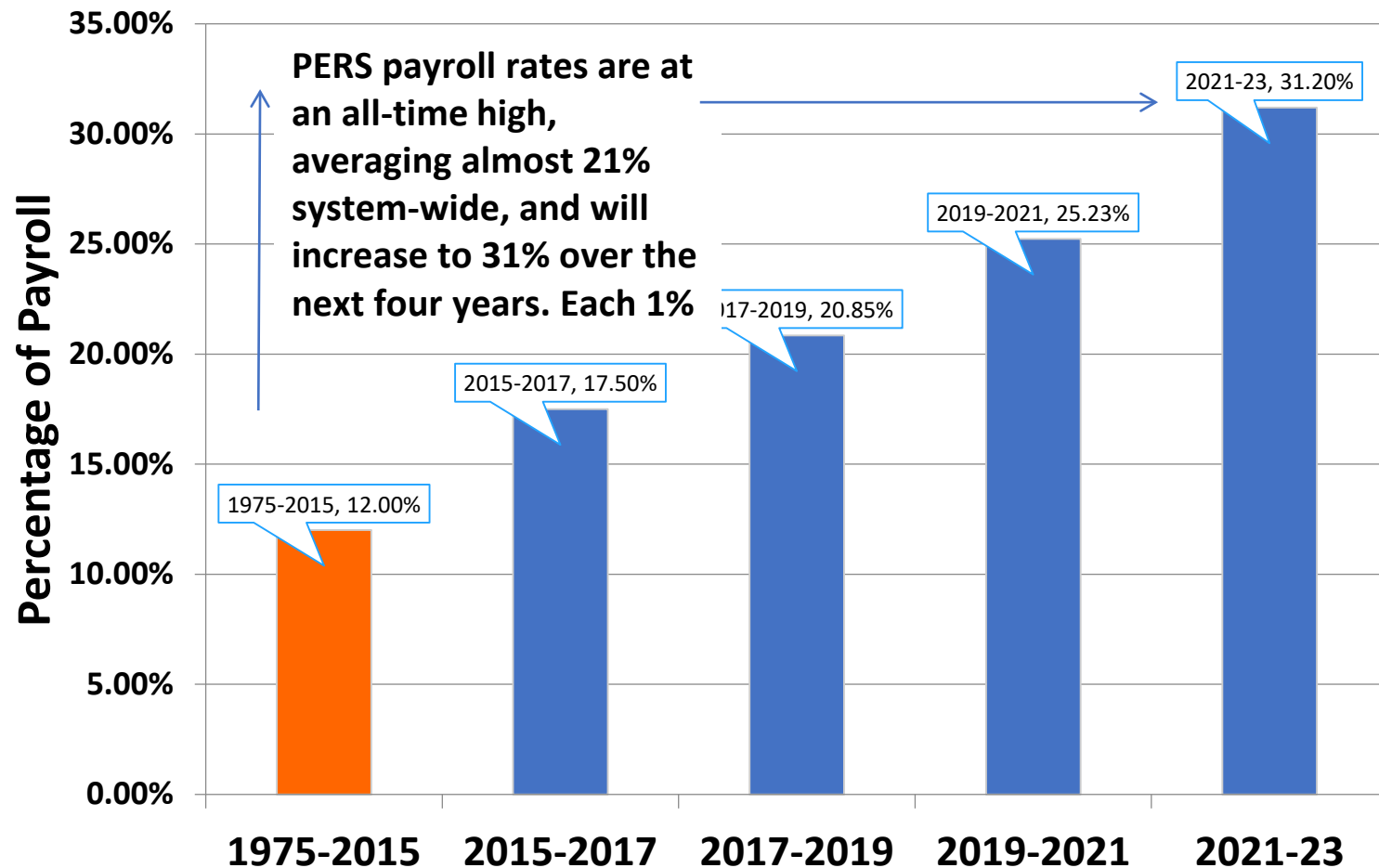
\$15,900

For Every  
Public Employee

~~\$128,900~~

\$153,700

# Past, Current & Projected PERS Employer Rates



# What Can, and Should, Be Done



# LEGAL: *Moro* decision clarifies what can be done

In *Moro v. Oregon* (2015), the Supreme Court changed its minds about what changes can be made to the system:

- Keep the promise for benefits earned to date, but:
- Changes may be made going forward:
  - Benefits to be earned in the future are (with limited exceptions) modifiable
  - Employee contributions may be established for pension benefits going forward (See also, *Strunk v. PERB*, 2005)

Note: In *Moro*, the Court reversed its earlier OSPOA decision and rejected the “California rule.”

# Options for Prospective Cost Saving Reforms



Reinstate employee cost sharing



Modify future pension benefit accruals, beginning with the extraordinary features of Tier 1 and Tier 2



Rebalance the system: Pension plan or retirement savings plan, not both

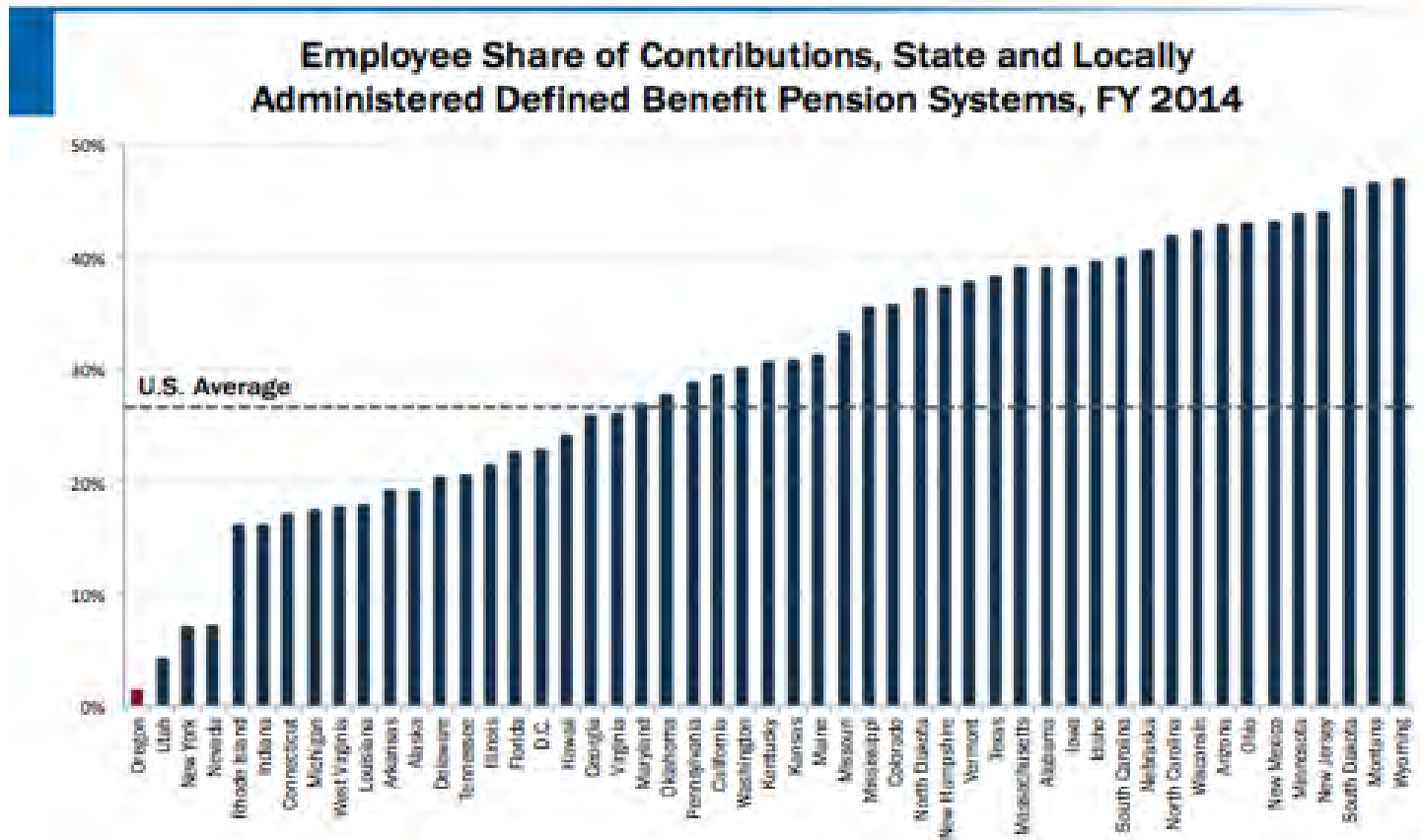


Recover legacy costs from re-employed retirees

# The Case for Employee Cost Sharing



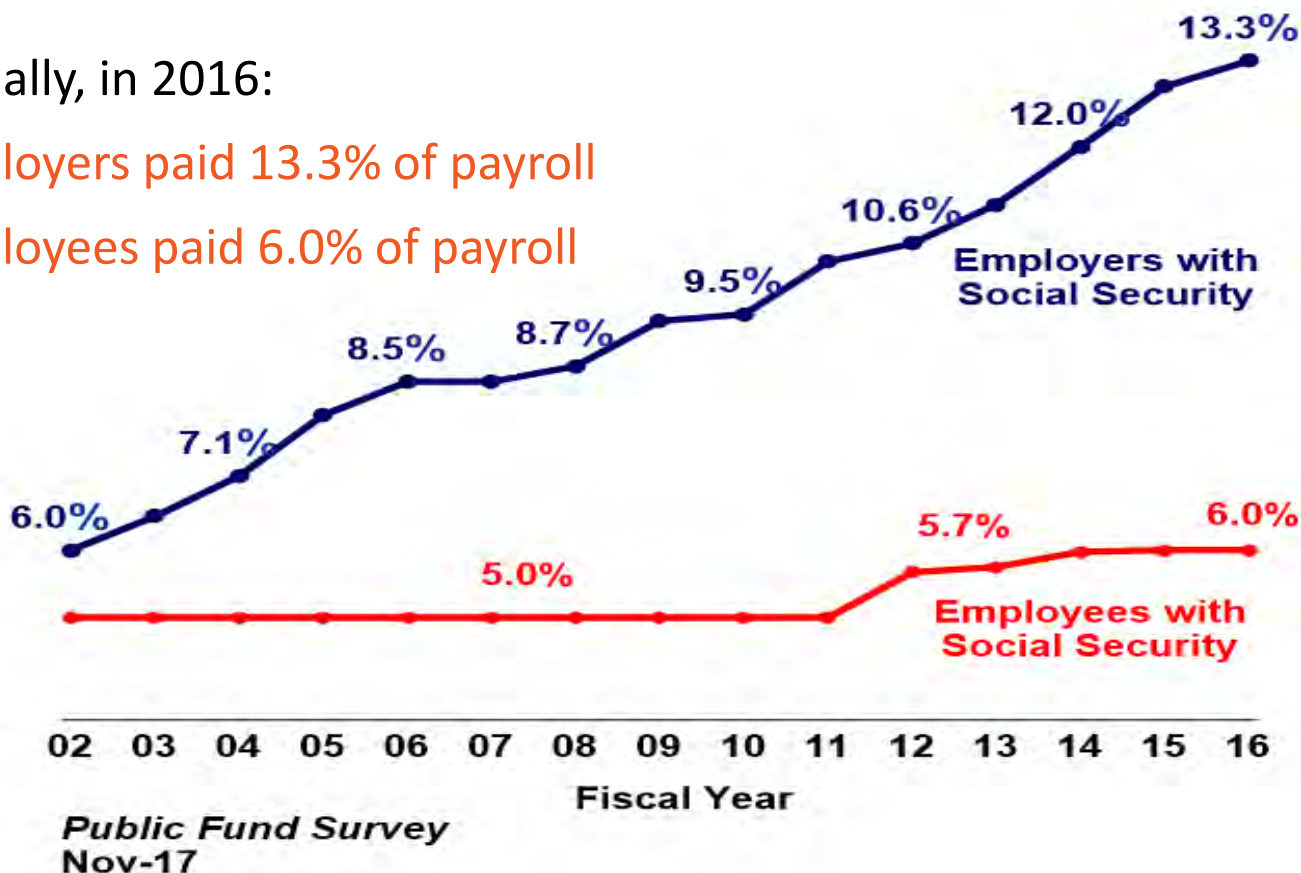
# Employee contributions: Oregon is an outlier



# Average Contribution Rates Across U.S. Defined Benefit Plans

Nationally, in 2016:

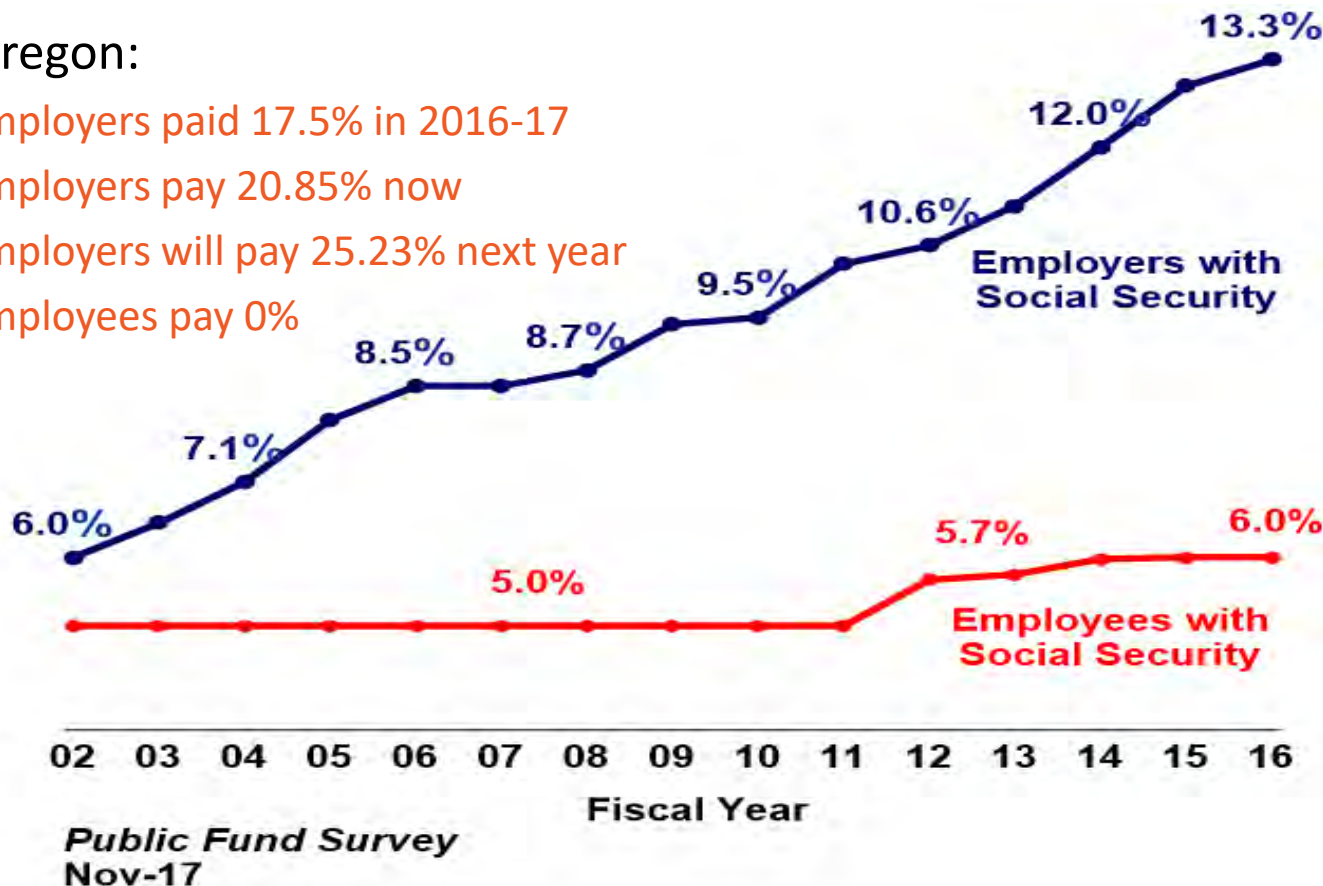
- Employers paid 13.3% of payroll
- Employees paid 6.0% of payroll



# Average Contribution Rates Across U.S. Defined Benefit Public Plans

In Oregon:

- Employers paid 17.5% in 2016-17
- Employers pay 20.85% now
- Employers will pay 25.23% next year
- Employees pay 0%



# What about the IAP and the 6% Pickup?



# (Mis)Understanding the IAP

PERS includes a mandatory supplemental retirement savings plan for all employees, known as the IAP, but...

- The IAP has no effect on the cost or funding of the pension plan
- The 6%, whether picked up or not, is not a cost driver. It's a fixed cost going forward.
- But the IAP provides an additional retirement benefit over and above the pension benefit

# (Mis)Understanding the IAP Pick Up

Almost two thirds of employees receive the 6% pickup for their IAP contributions (67% of payroll).

Employers treat it as part of their employee pay packages. Many employers have collectively bargained contract provisions requiring an offsetting pay increase if the pick up is terminated.

The 6%, whether picked up or not, is not a cost driver. It's a fixed cost going forward.

# Cost sharing and the IAP

The relevant issue is not who  
pays the pickup but:

**Where it goes**

**&**

**What it buys**

# Cost sharing and the IAP

Employee cost sharing can be coordinated with the IAP by:

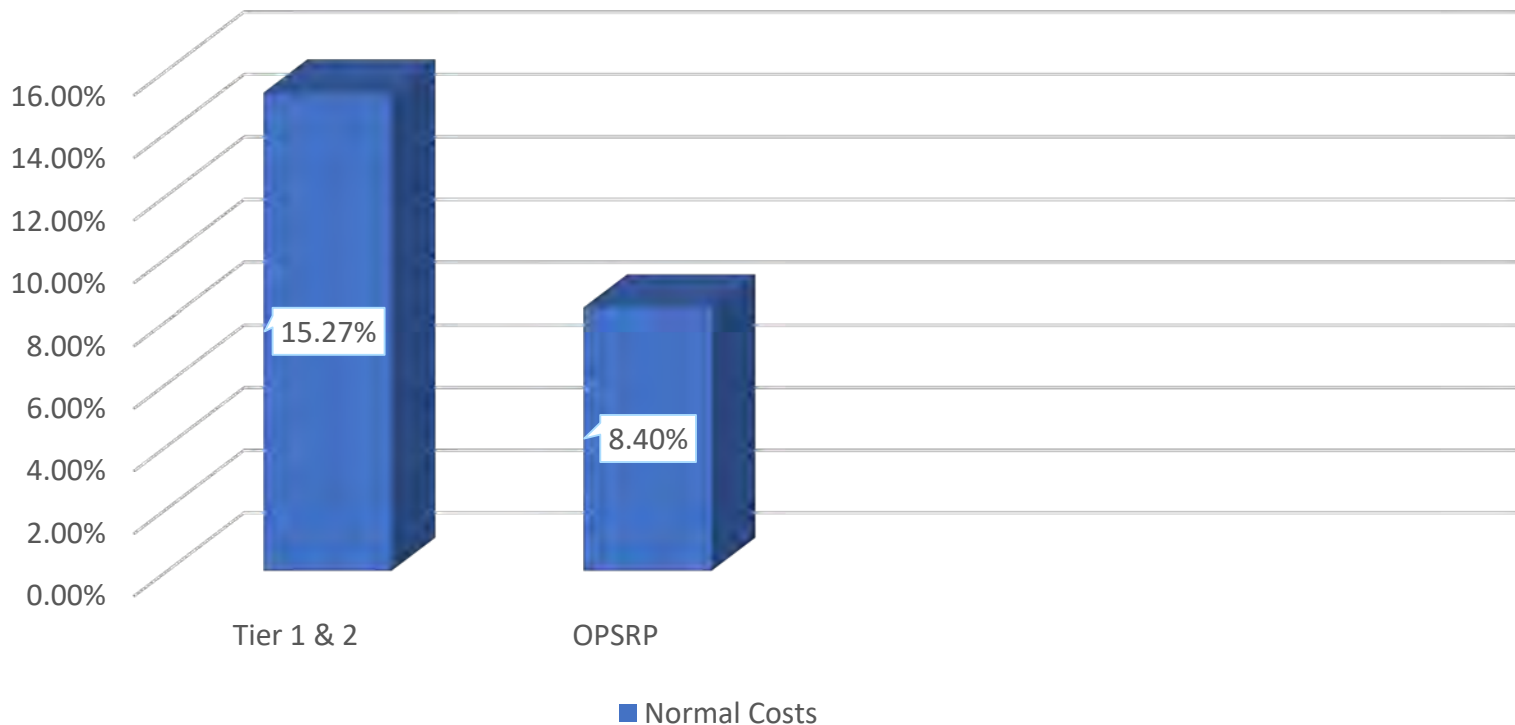
- ✓ **Allow the pickup to continue to cover employee contributions to the pension plan or new DC plan**

# The Case for Rebalancing Benefits



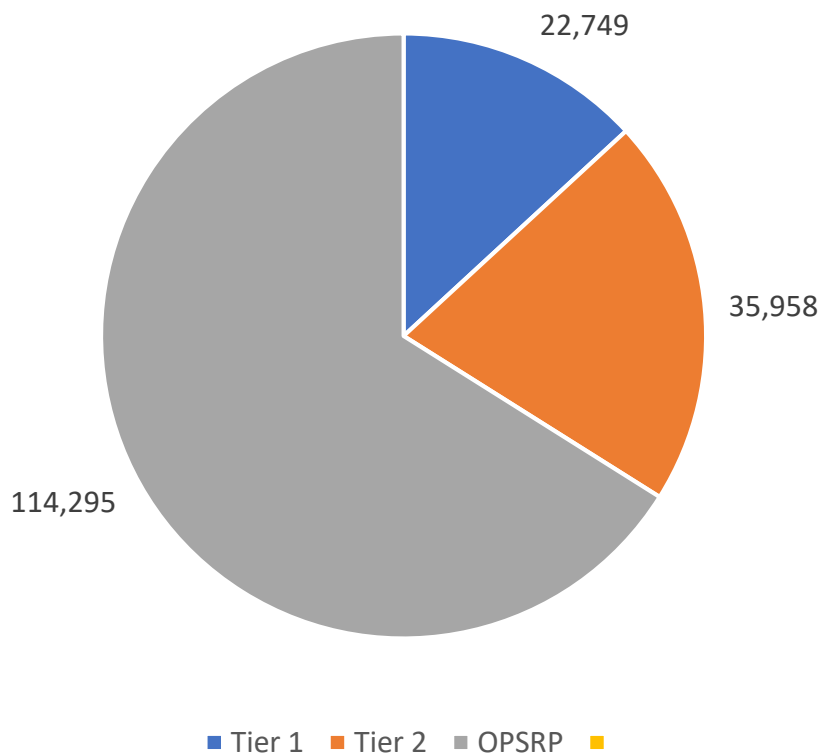
# Tier 1 & 2 normal costs are nearly 2x OPSRP

Pension Costs (Excluding UAL) as % of Payroll

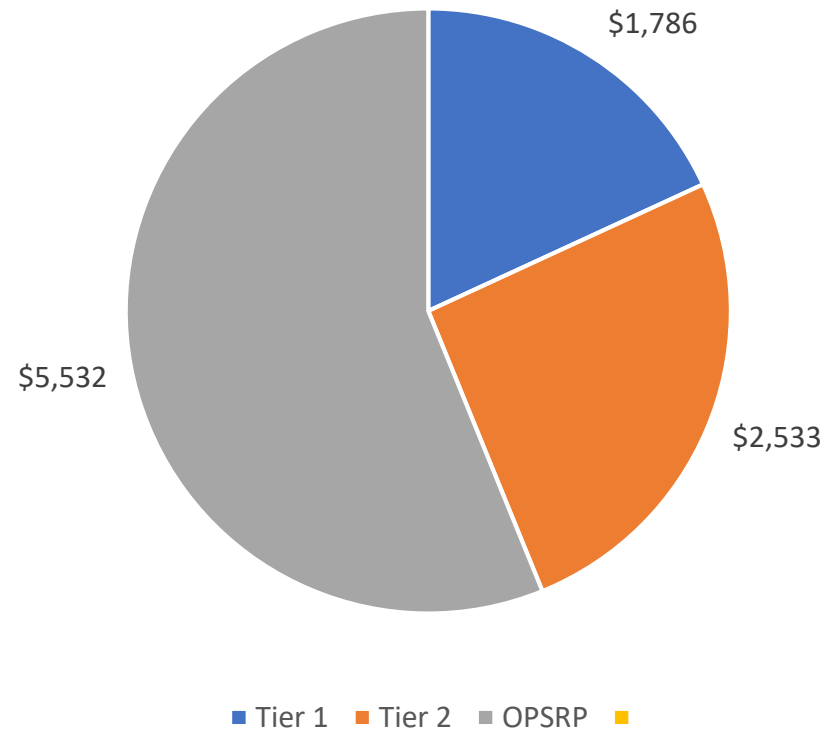


# Tier 1&2 Employees remain a significant portion of the PERS-covered workforce

Numbers (Head Count)



Payroll (Millions of \$)



OPSRP:  
Adequate.  
Affordable.  
Competitive.

OPSRP is an adequate and competitive plan for employees and more affordable for taxpayers, even without the IAP

OPSRP is better than Washington State's teachers' plan

	% Salary per Year of Service	Final Average Salary	EE Contribution to Supplemental Savings
<b>Oregon PERS OPSRP</b>	1.5%	3 years	6.0% fixed
<b>WA State Teachers</b>	1.0%	5 years	5.0% minimum

# The Case for a Defined Contribution Plan



# Defined Benefit

- Favors career employee over those who come and go
- Favors employees with high rates of pay progression
- Difficult to project and control costs

# Defined Contribution

- More fair to short term and lower-paid employees
- More portable and compatible with private sector plans
- More predictable for employers

# Defined Contribution: The OHSU Experience

## OHSU employees have option of:

- Defined contribution plan fully paid by the Employer at 12% of pay

or

- PERS pension, with employees paying 6% for the IAP
- DC Plan is the default option, enrolling 95% of new hires
- Only 26% of employees remain in the PERS pension plan
- Savings on the 74% of employees in the DC plan equate to 2.5% of payroll for post-2003 hires

# Defined Contribution: The Universities' Experience

Oregon's public universities have created options for faculty and administrators to choose coverage under an alternative defined contribution plan.

At the University of Oregon, 23% of employees are enrolled in the university's alternative defined contribution plan. Costs for the least expensive of these plans approximate 9% of salary.

# What Public Employees and Voters Tell Us



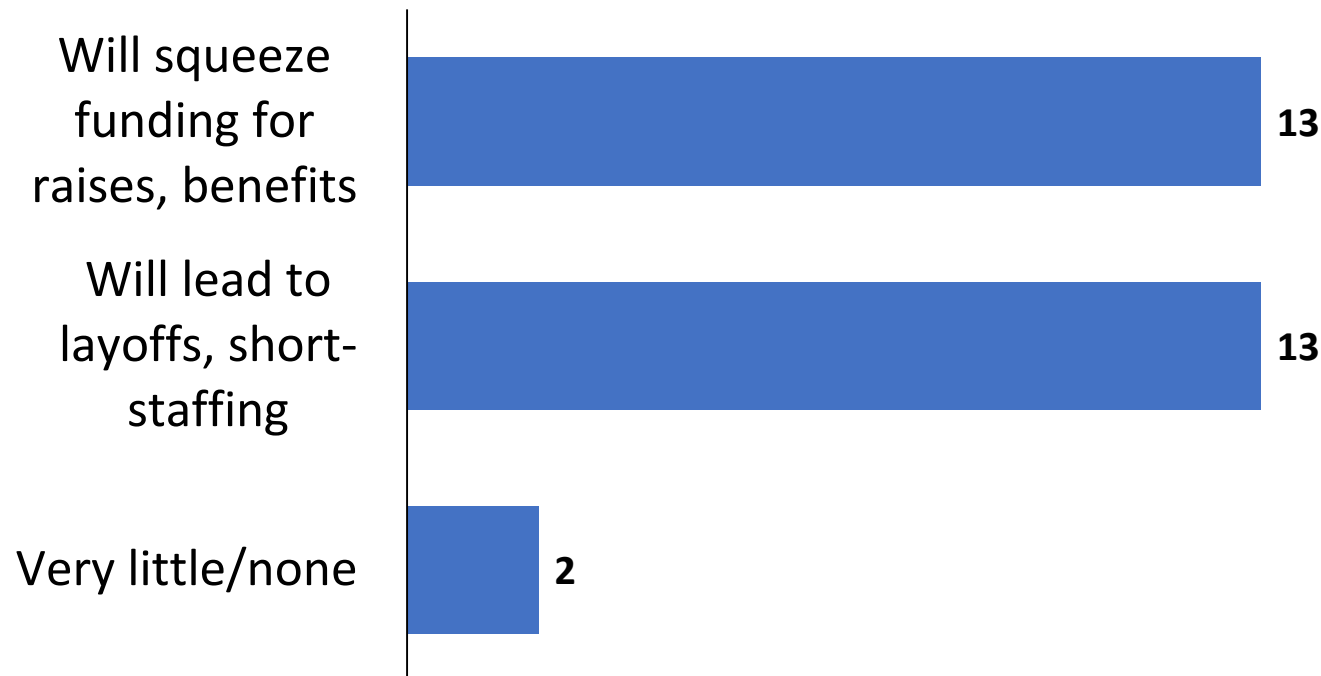
# What public employees think about PERS



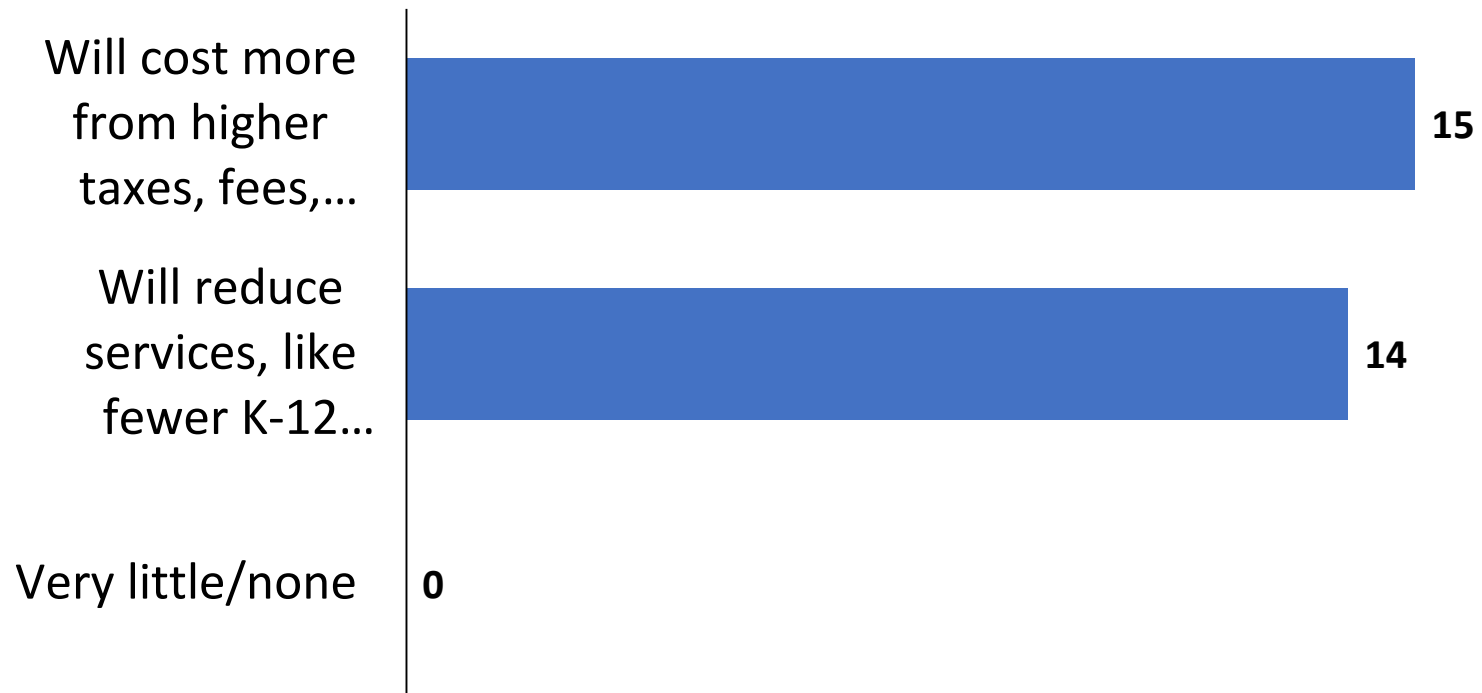
When presented with the cost projections, public employees express concerns about:

- Impacts on their jobs
- Impacts on their families

# Impacts of PERS costs at work



# Impacts of PERS costs at home



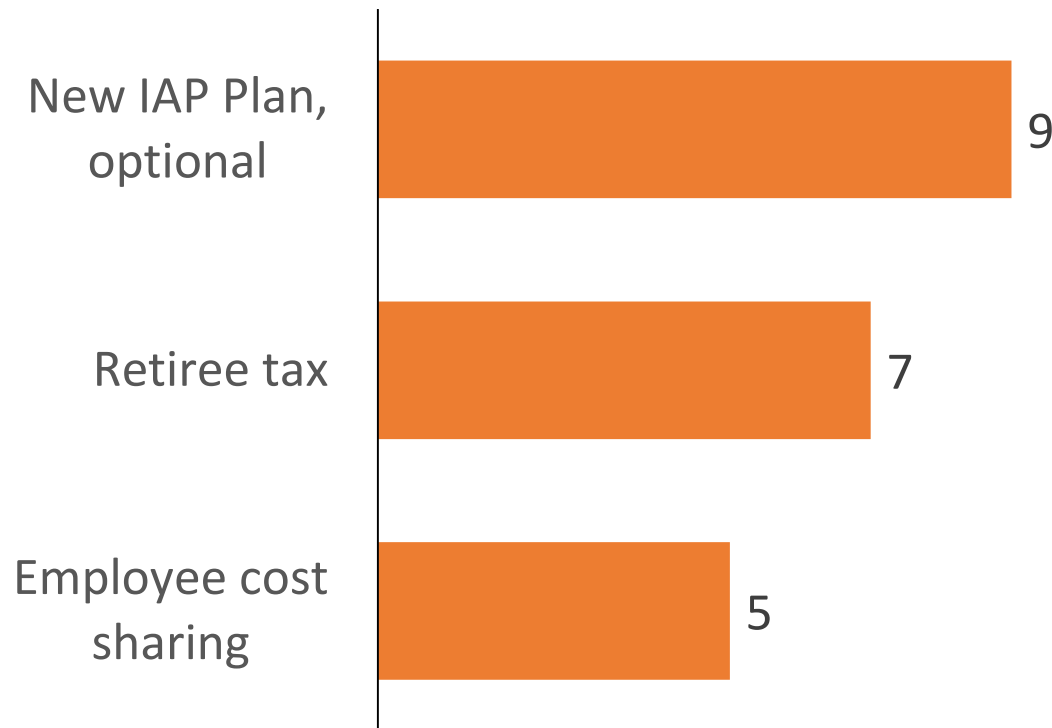
# What public employees say about solutions

After a discussion of options for PERS reform, public employees express interest in:



- More 401K-style options
- Employee choices
- Modest cost sharing
- Retiree tax

# Most preferred reform options



# What Oregon voters think about reform

Public Opinion Strategies Survey  
of 600 registered voters, Oct. 4-7,  
2018, found:

- Strong support for a defined contribution plan
- Strong support for employee cost sharing



# Reforms and Solutions



# Framework for Comprehensive Reform



## **Reduce**

Reduce going forward costs, without retreating to substandard retirement benefits



## **Recapture**

Recapture legacy costs, within legal limits, for example, via “work back/pay back” plan



## **Limit**

Limit growth of liabilities, by aligning contribution rates to investment returns and salary experience



## **Manage**

Manage remaining liabilities, to smooth out impacts on future generations

# Initial Legislative Concepts & Discussion Items 2019



# Reduce Going Forward Costs

## *2019 SB 148: Employee Choice & Shared Responsibility Act*

- Reinstatement of employee cost sharing (6%) in all plans
- Expand IAP to create an alternative DC plan
- Allow employees to choose: Pension plan or defined contribution plan but not both!
- Allow continuation of employer pickup

# Employee Choice & Shared Responsibility

## Employee Choice

(Staying in Pension Plan)

Current with Pickup  
Tier 1 & 2 & OPSRP

Current w/o Pickup

## Employer Savings

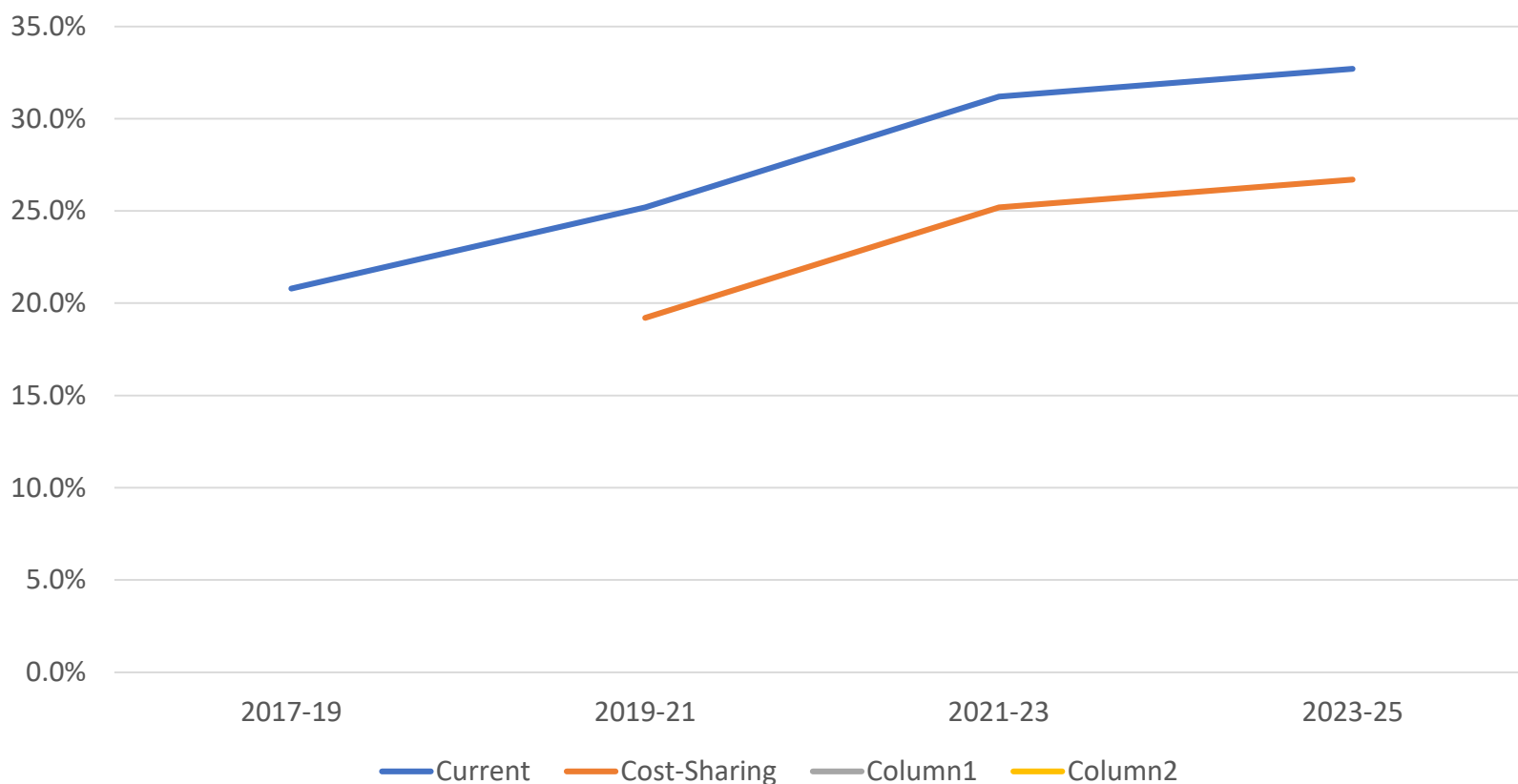
(No effect on employee  
take-home pay)

→ 6% of payroll

→ 6% of payroll

# Cost Sharing Will Halve the Cost Curve for Employers

Employer Rate Trends With and Without Cost Sharing



# Recapture Legacy Costs

## ***SB 768 amendments: Work Back/Pay Back Plan***

- **Allow Tier 1/2 employees who are retirement eligible to:**
  - **continue working (for up to five years)**
  - **draw a salary and a retirement allowance**
  - **contribute from salary to buy down UAL**
  
- **Have employers continue to pay PERS payroll rate**
  
- **Direct all employer and employee contributions to buy down the UAL**

# Working Retirement/Pay Back Plan (Continued)

## Benefits:

- Employers buy down the UAL at ~30% vs.~14% of payroll for each participant
  - Employees gain more income over time

## Challenges:

- IRS regulations for qualified retirement plans limit participation to certain employees (over age 55-57) and impose other conditions by type of employer
  - Public perception of “double dipping”

# Limit Growth of Liabilities

Reducing the going forward costs of the system may not be enough to keep the UAL from growing, forcing taxpayers to chase a rising target. Other reforms will be necessary to limit the growth of the UAL.

## Examples:

- Risk sharing: If investment returns fail to match assumed earnings, adjust employer and employee contribution rates.
- Payroll management: If employers provide annual salary increases above the assumed rate of 3.5%, they'll increase their UAL. Create a mechanism to manage payrolls so that employers are aware of this effect, consider this effect in bargaining and require that such costs be recognized when created.

# Manage Remaining Liabilities

- Longer amortization periods?
- Rate freezes?
- Year-to-year borrowing to offset scheduled rate increases w/ or w/o a dedicated revenue stream
- State assistance for schools and local governments (SB 1566 – 2018)
- Prioritization of programs targeted for assistance

# New Cost Sharing Proposals

## Proposal

## Savings for Services

### Initiative Petition 22/23

Employees contribute 6%

→ 38%-44% of projected increases next 8 years

### Initiative Petition 24

Employees contribute 3.0-6.0%

→ 27% of projected increases next 8 years

### Legislative Pkg (SB1049-1)

Employees contribute 0.75%-2.5%

>\$30,000 annual salary

→ 9% of projected increases next 8 years

# Comparison of Packages Now on the Table

## Proposal

### Initiative Petition 24

Employees contribute 3.0-6.0%  
Tier 1 Salary cap = \$280K

### Legislative Pkg (SB1049-1)

Employees contribute 0.75%-2.5%  
>\$30,000 annual salary  
Salary cap @ \$195K  
Money Match annuitization correction  
Extend debt repayment to 22 years for  
UAL for Tier 1/2 retirees

## Employer Savings

→ 27% of projected  
increases next 8 years

→ 12% of projected  
increases next 8 years

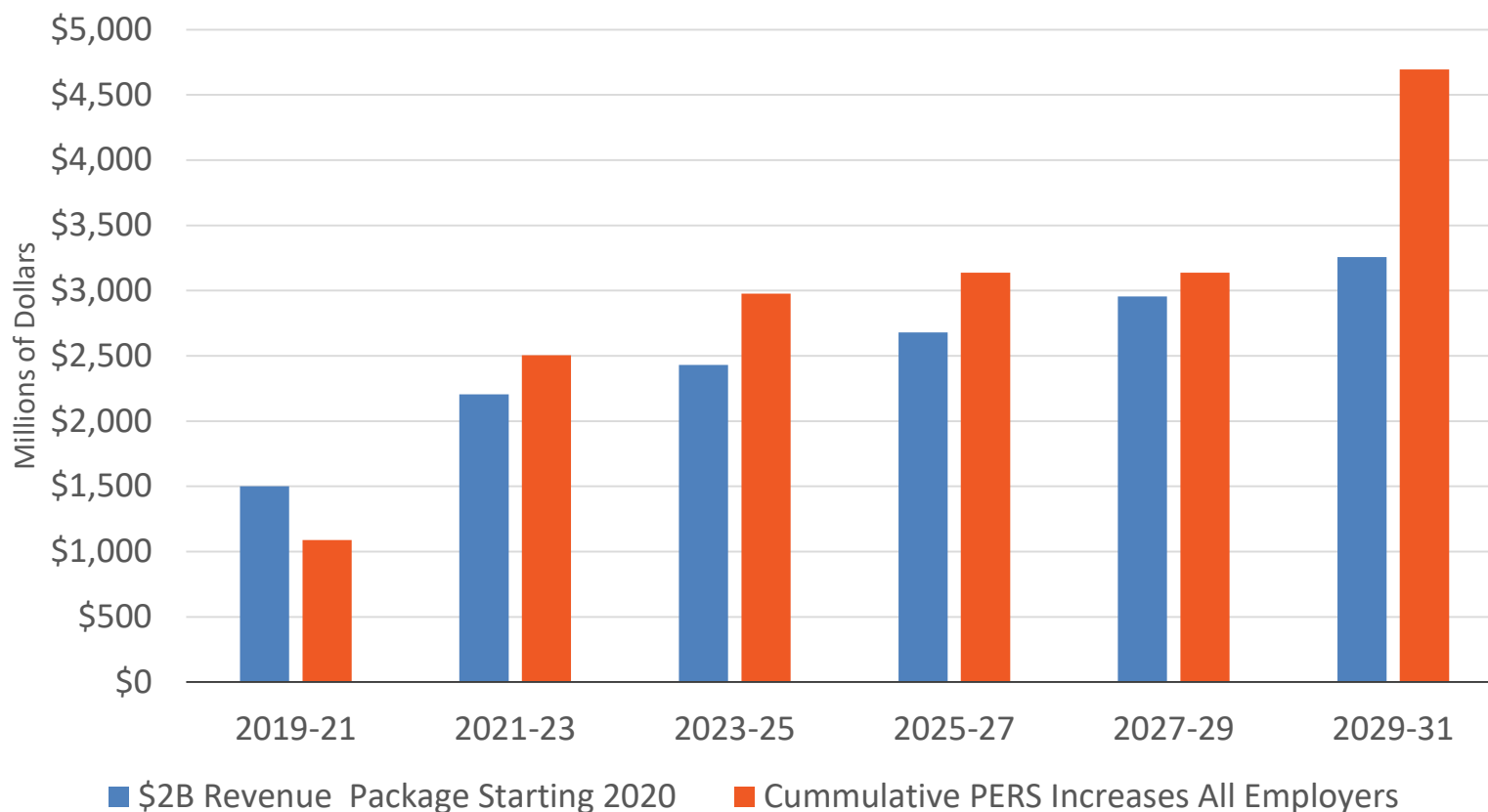
+

→ 27% of projected  
increases next 8 years

# PERS and Revenue Reform

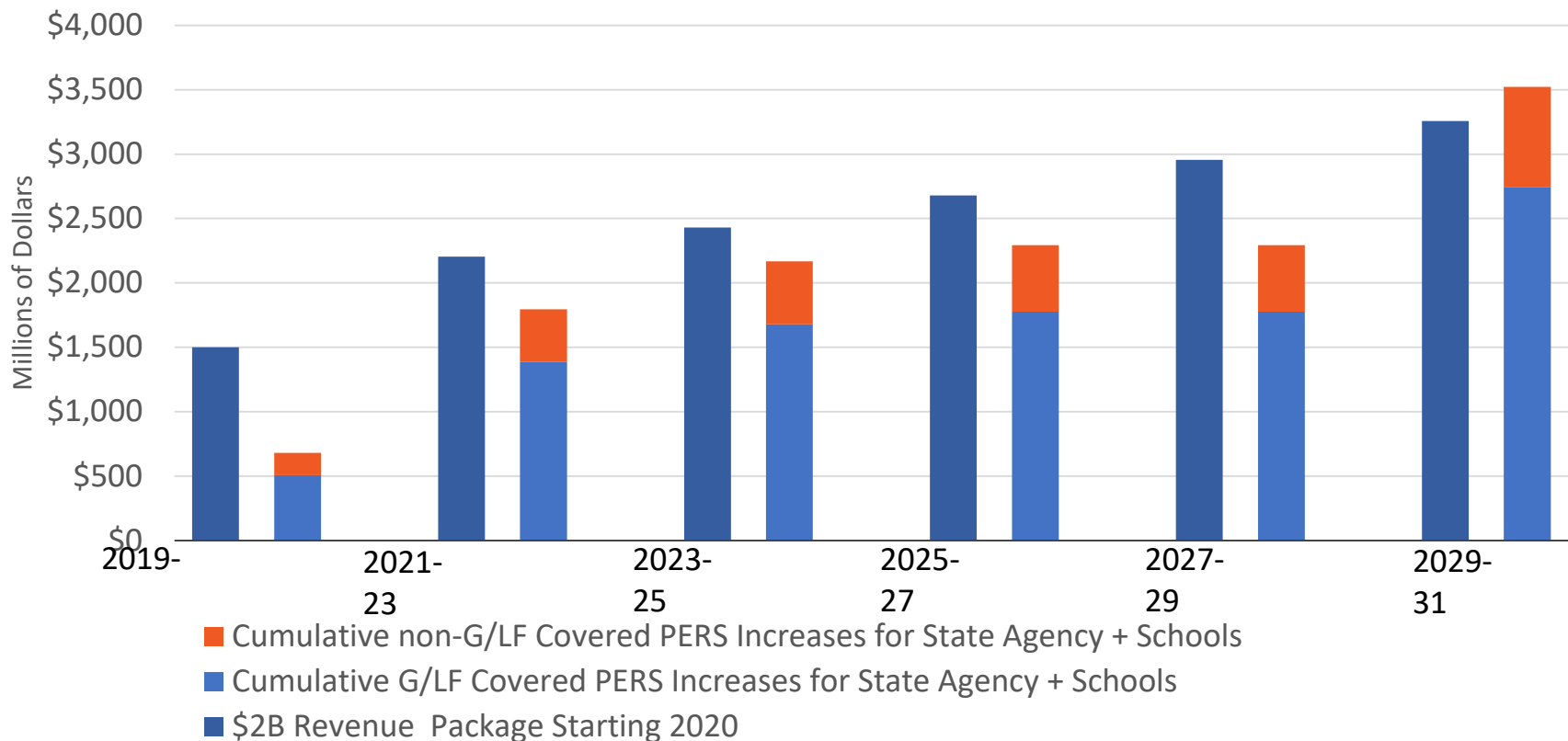


# \$2B Revenue Package vs. PERS



\$2bn Business Entity Tax (BAT OR GRT) Grows at 5% per year per LRO Public Finance Basic Facts 2019  
PERS Costs Calculated Using Milliman PERS Rate Increase Projection (50<sup>th</sup> percentile) and Payroll  
Growth Assumptions (December, 2018)

# \$2B Revenue Package vs. PERS



\$2bn Business Entity Tax (BAT or GRT) Grows at 5% per year per LRO Public Finance Basic Facts 2019  
 PERS Costs Calculated Using Milliman PERS Rate Increase Projection (50<sup>th</sup> percentile) and Payroll Growth Assumptions (December, 2018)  
 G/LF and total fund split assumes that G/LF covers 43% of state agency PERS costs, and that G/LF covers 100% of school district PERS costs.

# The Facts



There are solutions that are viable and fair.



All savings stay in budgets to enhance staffing and services.



If we do nothing, we will penalize a whole generation of kids in our classrooms and compromise the future of our communities.



The longer we wait, the worse the impacts.



Successful revenue reform cannot be separated from successful PERS reform.

# Key Takeaways



We should be doing better than this, given our strong state economy.



Worst is yet to come, even if the economy remains strong.



Not the fault of public employees – but there are excesses in the system.



Nothing any school board, city council or county commission can do about it. It's up to the Legislature!



There is a clear legal path forward.

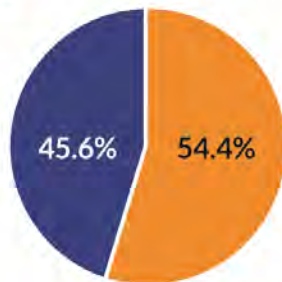


# PROBLEM

PERS cost increases will claim an additional \$10 billion from public service budgets over the next eight years. Even with a \$2 billion revenue package dedicated to education and state services, **80 cents of every new dollar will go to PERS** in that eight year period.

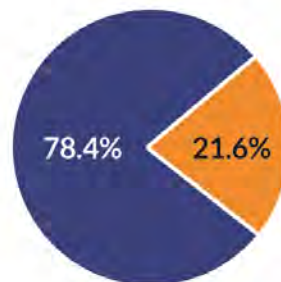
## \$2 Billion Revenue vs PERS Costs through 2027 (millions of \$)

	\$2 Billion Rev. +5%/year	Cumulative PERS Cost Increases All Entities	Biennial Percentage PERS/Revenue	Cumulative PERS Cost Increases State/Education	Biennial Percentage PERS/Revenue
2019-21	\$1,500*	\$1,015	67.7%	\$684	45.6%
2021-23	\$2,205	\$2,546	115.5%	\$1,728	78.4%
2023-25	\$2,431	\$3,109	127.9%	\$2,163	89.0%
2025-27	\$2,680	\$3,496	130.4%	\$2,448	91.3%
<b>Total 2019-27</b> *18 months	<b>\$8,816</b>	<b>\$10,166</b>	<b>115.3%</b>	<b>\$7,023</b>	<b>79.7%</b>

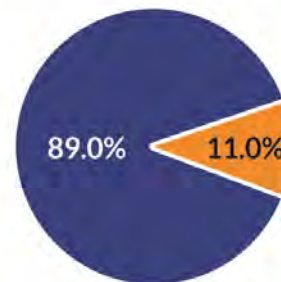


2019-21

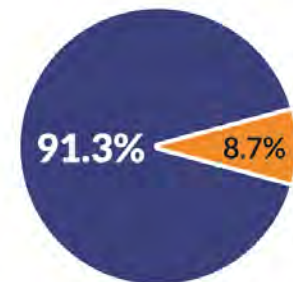
■ Share of new dollars going to PERS



2021-23



2023-25



2025-27

■ Share of new dollars going to services



# SOLUTIONS

PROPOSAL	LEGISLATION/ INITIATIVES	INITIAL BIENNIAL EMPLOYER COST REDUCTIONS	WOULD FREE UP FUNDING IN K12 FOR:
<b>Reinstate Employee Cost Sharing</b> for the PERS pension plan. In exchange, no reduction in basic pension benefits	Solution #1 proposes 6% employee contribution	\$1,300 million all employers system-wide	+7 school days or +1,900 teachers
	Solution #2 proposes 3%-6% employee contributions	\$825 million	+5 school days or +1,400 teachers
	Governor proposes 1.5%-3% >\$20,000 salary	\$317 million	+2 school days or +537 teachers
<b>Modify Tier 1/2 Benefits</b> related to Money Match extras	Solution #1 would study this modification	\$75 million	+125 teachers
<b>Establish New Defined Contribution Plan</b>	Solution #1 proposes this as an alternative for new hires	Approximately 2.5% for each participant	For each 1% participation = +9 teachers
<b>Reform "Double Dipping"</b> with "Work Back/Pay Back" plan	SB 768 amendments	Would reduce the system's unfunded liability by >\$125 million	N/A



**PERS**  
**SOLUTIONS**  
for Public Services

[WWW.PERSOLUTIONS.ORG](http://WWW.PERSOLUTIONS.ORG)

Thank you!

Contact us

[info@perssolutions.org](mailto:info@perssolutions.org)

## **Agenda Item #7**

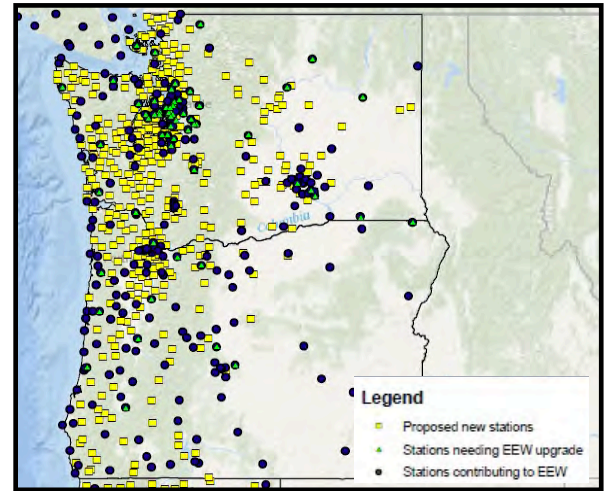
**Academic Area in Focus:**  
ShakeAlert, ALERTWildfire,  
and the Internet of (Wild) Things



*ShakeAlert is live for institutional users in Oregon; state-wide coordination leads the way to public rollout.*

Public and private partners are working together to improve seismic monitoring and implement an onshore public earthquake early warning system on the west coast, known as ShakeAlert.

Alerts will provide seconds to minutes of warning of impending ground shaking, allowing individuals to carry out pre-determined actions for safety and, through automation, industry, utilities, and transportation sectors will be able to power down or protect critical operations.



### 2019 Updates:

- ShakeAlert, the earthquake early warning system being developed by the U.S. Geological Survey (USGS) and West Coast colleagues, recently received a significant increase in federal funding.
- The **FY18 omnibus** spending package passed by Congress and signed by the President in March allocates **\$12.9 million** for continued development and a phased rollout of the system and **\$10 million** for capital costs associated with earthquake sensors buildout and system infrastructure. The omnibus action more than doubles the funding for ShakeAlert by making a significant investment in the necessary seismic network infrastructure that supports the alert system.
- UO and ShakeAlert plan a phased rollout. UO will continue to seek public and private financial support.
- The Oregon Department of Geology and Mineral Industries (DOGAMI), via the state's seismic instrumentation fund, provided the UO ~\$174K to accelerate network build-out. USGS provides UO funds to install, operate, and maintain these critical sites.
- UO, on behalf of the Pacific Northwest Seismic Network (PNSN) and the Oregon Dept. of Transportation (ODOT), expanded an Inter-Governmental Agreement to use state data transport and physical infrastructure for ShakeAlert and ALERTWildfire.
- The Oregon Committee for ShakeAlert Communication, Education, and Outreach (ORCCEO) continues to facilitate Oregon's rollout and usage of the ShakeAlert program.
- USGS awarded an additional \$110K to support Technical User Working Group and Emergency Management Coordinator positions within Oregon. These efforts are closely coordinated with Oregon Office of Emergency Management (OEM), ORCCEO, and DOGAMI.
- **Governor Kate Brown has directed the State Resilience Office to implement a statewide emergency warning system by 2023 that ties multi-hazard events: earthquake, wildland fires, landslides, and flooding events into one alerting and monitoring system.**

**BACKGROUND:** For nearly 30 years, the University of Oregon, through Earth Sciences faculty and associated technicians, has been responsible for maintaining and monitoring sensors and stations located in Oregon. The Pacific Northwest, lying in the Cascadia Subduction Zone, has the potential for some of the most violent earthquakes. Yet it lacks a fully instrumented earthquake early warning system—a common place safety precaution in other places that have as much seismic activity. ShakeAlert will monitor the San Andreas Fault in California, the Cascadia Subduction Zone, and numerous other crustal faults.

## What will be the impact of State of Oregon funds, if awarded in 2019?

Governor Brown's resiliency agenda calls for a system that addresses multiple hazards in Oregon. The impact of this funding will accelerate ShakeAlert, and grow a multi-purpose hazard monitoring program.

- Funding will complete the ShakeAlert system in Oregon, thereby allowing public alerts to be issued
- Strengthen the data communications platform, ensuring functionality during disasters
- Accelerate growth of the ALERTWildfire monitoring platform throughout Oregon
- Ongoing **federal** support for long-term operations and maintenance via ShakeAlert is critical

## What is ALERTWildfire?

ALERTWildfire is a consortium of three universities — The University of Nevada, Reno (UNR), University of California San Diego (UCSD), and the University of Oregon (UO) — providing access to state-of-the-art Pan-Tilt-Zoom (PTZ) fire cameras and associated tools to help firefighters and first responders: (1) discover, locate, and confirm fire ignition, (2) quickly scale fire resources up or down appropriately, (3) monitor fire behavior through containment, (4) during firestorms, help evacuations through enhanced situational awareness, (5) ensure contained fires are monitored appropriately through their demise.



Figure 1 - ShakeAlert implementation sites

## ShakeAlert Communication, Education, and Outreach Updates:

Projects in Oregon, partners are using ShakeAlert:

- o Southern Oregon's **Rogue Valley Council of Governments (RVCOG)** is pioneering the first region-based pilot, with focus on coordination across multiple sectors in alert socialization.
- o **EWEB**, is operating a live system at the Leaburg canal.
- o **Oregon Department of Transportation (ODOT)** is working toward automating bridge closures along coast and Portland.
- o **RH2 engineering** is assisting multiple water municipalities. Their first live system is in Grants Pass, and more will go live in VM(Albany, Gresham, Oregon City).
- o **Syn-Apps** is developing a custom module that would allow their Revolution alerting software to automatically receive alerts from USGS via ShakeAlert. Syn-Apps currently integrates with National Weather Service, AMBER Alerts, & IPAWS EAS CAP feeds to deliver federal alerts.
- o The ShakeAlert Oregon Committee for ShakeAlert Communication, Education, and Outreach (ORCCEO), is providing input unique to State of Oregon needs.
- o In 2017 the USGS formed the ShakeAlert Communication, Education, and Outreach (CEO) Plan, which extends into September of 2019. Inputs from ORCCEO on partner priorities, concerns, and needs drove the plan's content.

Contacts: Prof. Douglas Toomey, University of Oregon, Earth Sciences [drt@uoregon.edu](mailto:drt@uoregon.edu)  
Dr. Leland O'Driscoll, Project Manager, University of Oregon, Earth Sciences [lelando@uoregon.edu](mailto:lelando@uoregon.edu)



### ***ALERTWildfire: a 21<sup>st</sup> century solution to wildfire suppression***

**ALERTWildfire** is a consortium of three universities — The University of Nevada, Reno (UNR), University of California San Diego (UCSD), and the University of Oregon (UO) — providing access to state-of-the-art Pan-Tilt-Zoom (PTZ) fire cameras and associated tools to help firefighters and first responders:

- (1) discover/locate/confirm fire ignition,
- (2) quickly scale fire resources up or down appropriately
- (3) monitor fire behavior through containment
- (4) during firestorms, help evacuations through enhanced situational awareness
- (5) ensure contained fires are monitored appropriately through their demise.

#### **Overview:**

- High-bandwidth IP connectivity allows HD PTZ cameras with near-infrared capability
- Distributed IP system controllable by phone, tablet, laptop, desktop
- Public facing web access provides situational awareness
- Secure web-access to firefighters and first responders allows direct camera control
- Time lapse imagery available on demand
- Interfaces with WIFIRE Firemap for predicting wildfire behavior
- Machine learning for early fire detection

#### **Sponsors and Partners: Diverse funding distributes cost**

For a full list, see <http://www.alertwildfire.org/partners.html>

- Utilities; ~1000 existing or soon to be installed cameras by private sector funding, including San Diego Gas and Electric, SoCal Edison, Pacific Gas & Electric
- OR and CA counties are installing or replacing existing systems with ALERTWildfire
  - Lane, Sonoma, Marin, Napa
- Private stakeholders and communities
- Federal and state lands



July 19, 2016: Three days after installing the Knoll Mt. camera, it captured the Winnebago Fire outbreak and warned first responders, improving their response time and avoiding a catastrophic wildfire.

#### **Advantages to linking ShakeAlert and AlertWildfire detection programs**

- Hardens telemetry backbone of ShakeAlert, improving state resiliency
- Leverages funding from federal, state, and county agencies, utilities, and local stakeholders
- Wireless, IP-based high-speed backbone supports a Multi-Hazards system, delivering real-time, state-wide monitoring for earthquakes, wildfires, landslides, and floods
- Pulls together technical and human resources within the state to improve coordination and response.

# ShakeAlert, ALERTWildfire and the Emerging Internet of (Wild) Things

Prof. Doug Toomey  
Director, Oregon Hazards Lab  
Department of Earth Sciences

The Really Big One



Earthquake & Tsunami, Japan



The Really Frequent Ones



Eagle Creek Wildfire, Cascades Locks, OR

# What's the Vision?



Creating a Resilient PNW:  
The Internet of (Wild) Things

Leland O'Driscoll, O-HAZ



Real-Time  
Data Transfer

M. Coleman, & N. Maggio, RACS



Societal Impact

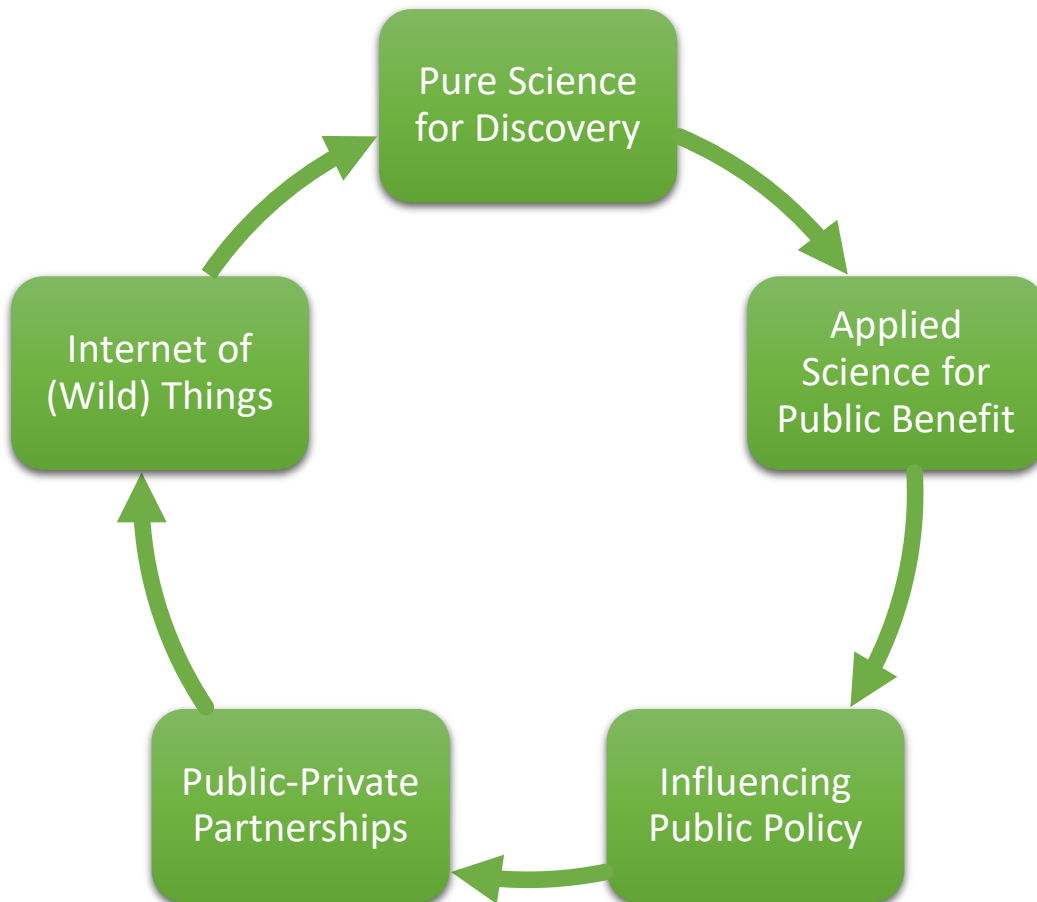


Scientific  
Research

Sara Meyer, O-HAZ



Sensor Networks



April 30, 2019

RE: Support House Bill 5005 funding for ShakeAlert & ALERTWildfire

Dear Legislative Leaders,

As chief financial officers of our states, we work to ensure the financial well-being of our citizens and the security of state resources. We know that the financial stability of individuals and states is seriously impacted by damage to infrastructure and economic disruptions following earthquakes and wildfires.

Our states are subject to a number of threats related to seismic activity. In particular, geologists predict that we will experience an earthquake emanating from the Cascadia Subduction Zone megathrust fault off our coastline. The consequences will be severe for our region with projections showing the potential for tens of billions of dollars of damage to buildings and infrastructure, tens of billions more in economic losses, and potentially thousands of human casualties.

In addition to the threat of a Cascadia Subduction Zone earthquake and tsunami, our region has seen devastating wildfires with far reaching economic, environmental, and human health implications. The



These two systems will provide vital resources and support as Washington, Oregon, and California prepare for and respond to natural disasters. We encourage you to provide the vital funding necessary to fully implement these systems to ensure that the region has access to critical information that could mitigate the broad range of damage caused by earthquakes and wildfires.

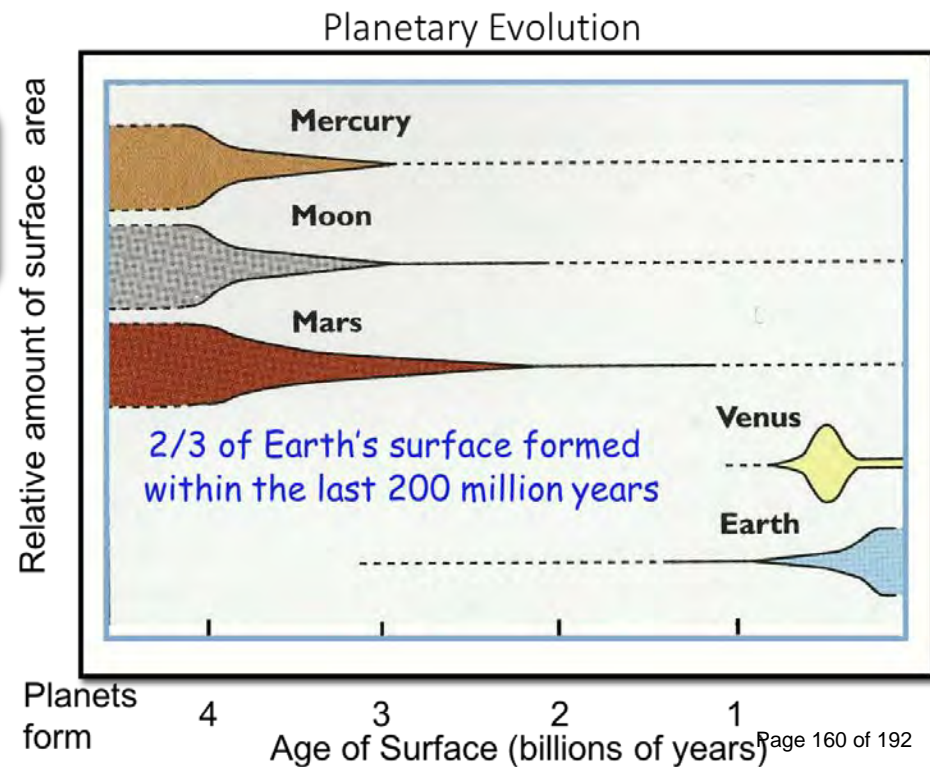
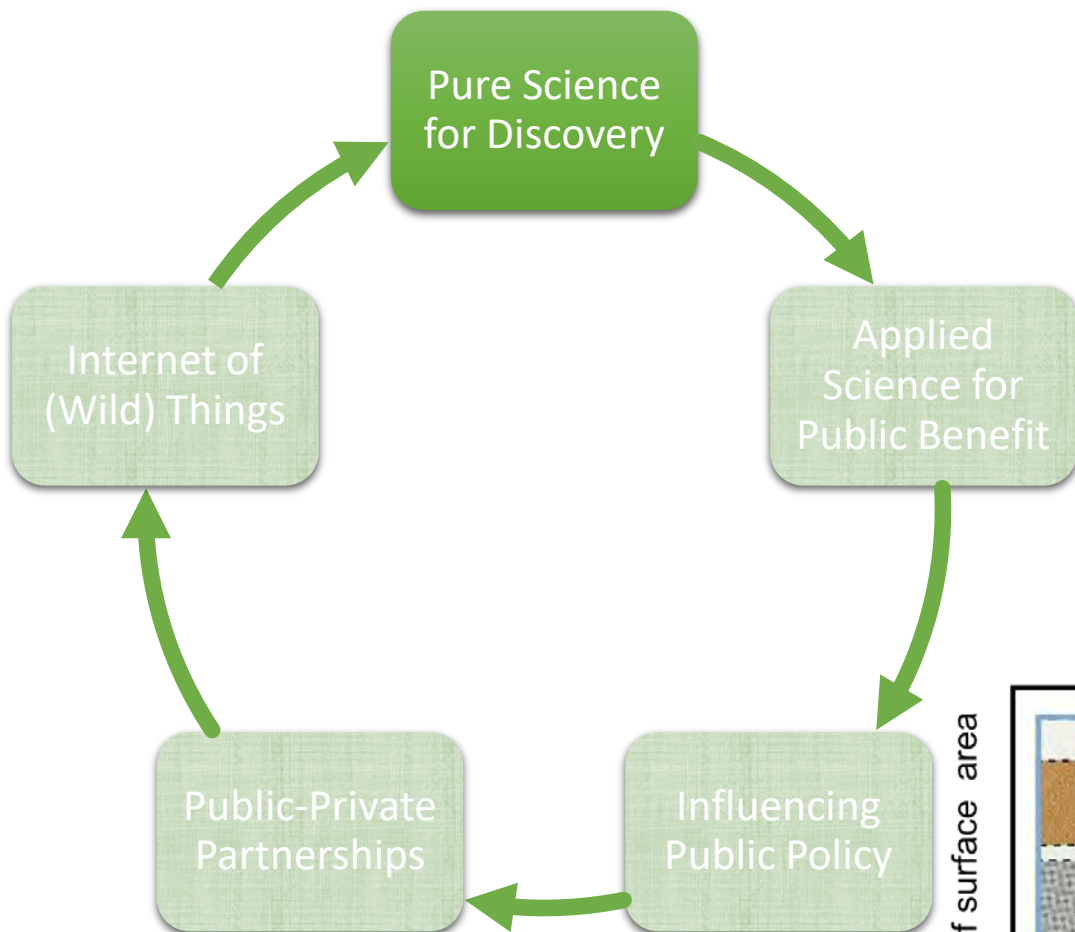
Thank you for your consideration.

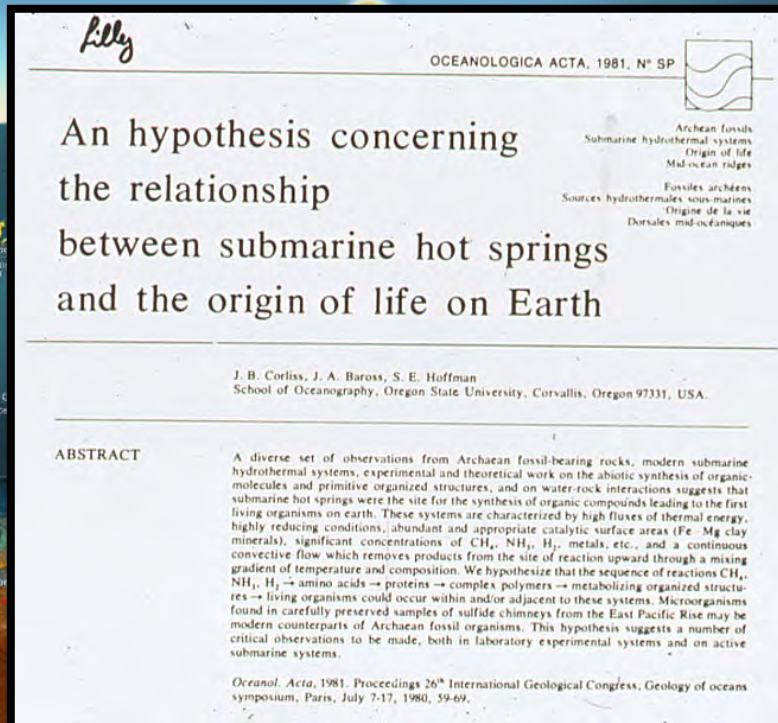
Sincerely,

Treasurer Tobias Read  
Oregon State Treasurer

Treasurer Fiona Ma  
California State Treasurer

Treasurer Duane Davidson  
Washington State Treasurer

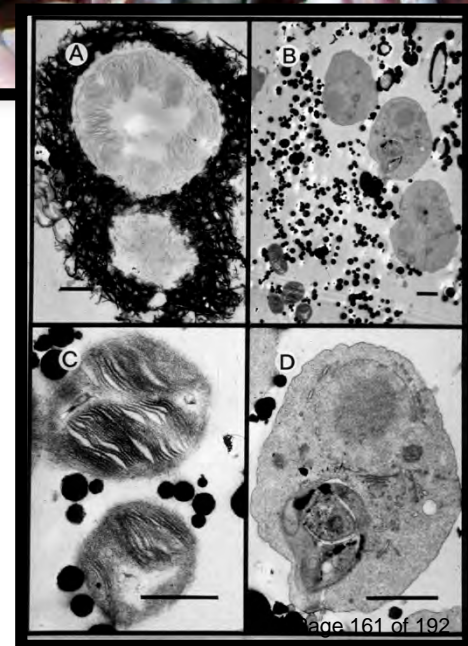


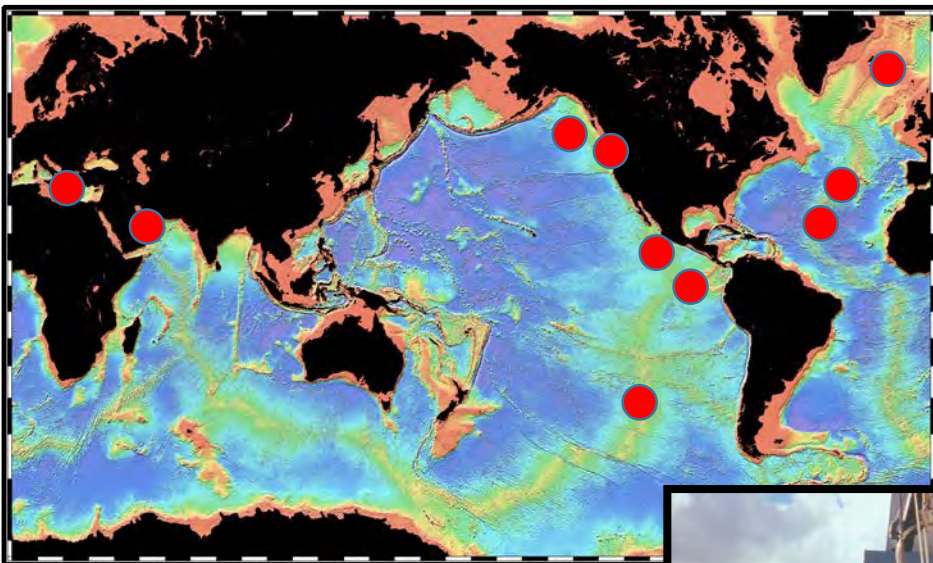


Life  
Requires  
Energy.

There are  
two sources  
of it on  
our planet.

Many only  
have one.






Article Published: 22 March 2007

## Skew of mantle upwelling beneath the East Pacific Rise governs segmentation

Douglas R. Toomey , David Jousselin, Robert A. Dunn, William S. D. Wilcock & R. S. Detrick

*Nature* **446**, 409–414 (22 March 2007) | [Download Citation](#) 

### ARTICLES

PUBLISHED ONLINE: 27 JUNE 2006 | DOI: 10.1038/NATURE02745

**nature  
geoscience**

## Segmentation of mid-ocean ridges attributed to oblique mantle divergence

Brandon P. VanderBeek<sup>1\*</sup>, Douglas R. Toomey<sup>1</sup>, Emilie E. E. Hooft<sup>1</sup> and William S. D. Wilcock<sup>2</sup>

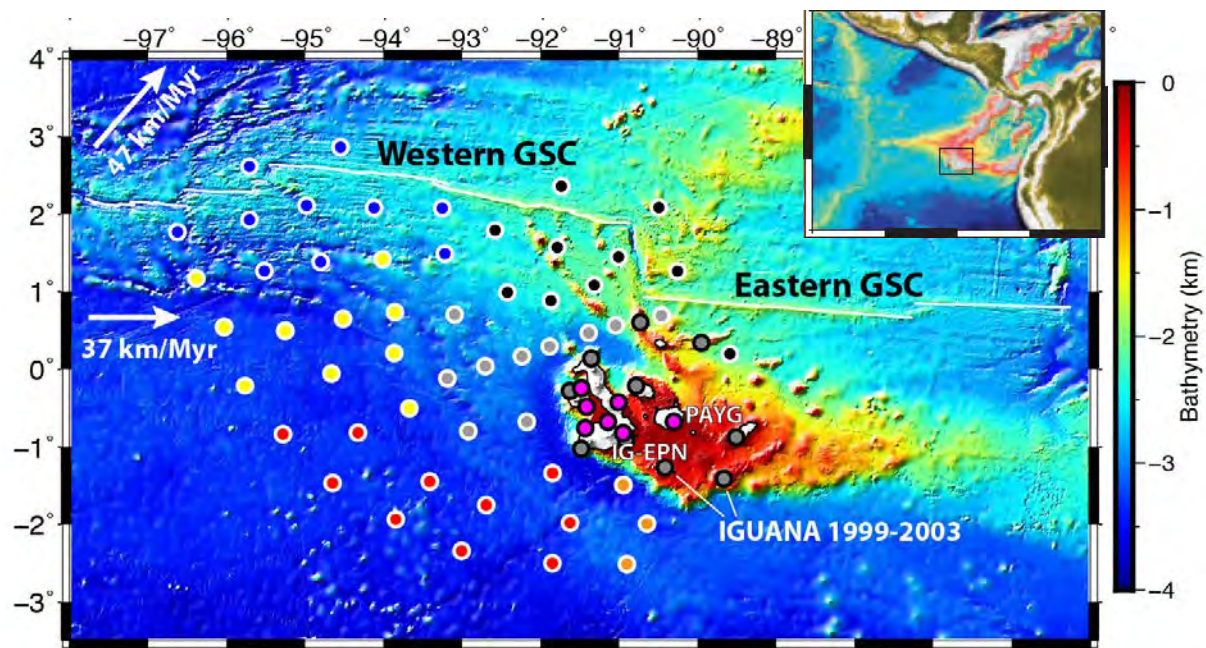


**Video Redacted for Packet Publication**

## Mantle flow and multistage melting beneath the Galápagos hotspot revealed by seismic imaging

Darwin R. Villagómez<sup>1</sup>, Douglas R. Toomey<sup>1\*</sup>, Dennis J. Geist<sup>2</sup>, Emilie E. E. Hooff<sup>1</sup> and Sean C. Solomon<sup>2</sup>

## Just Funded: Returning to Galápagos in 2021!

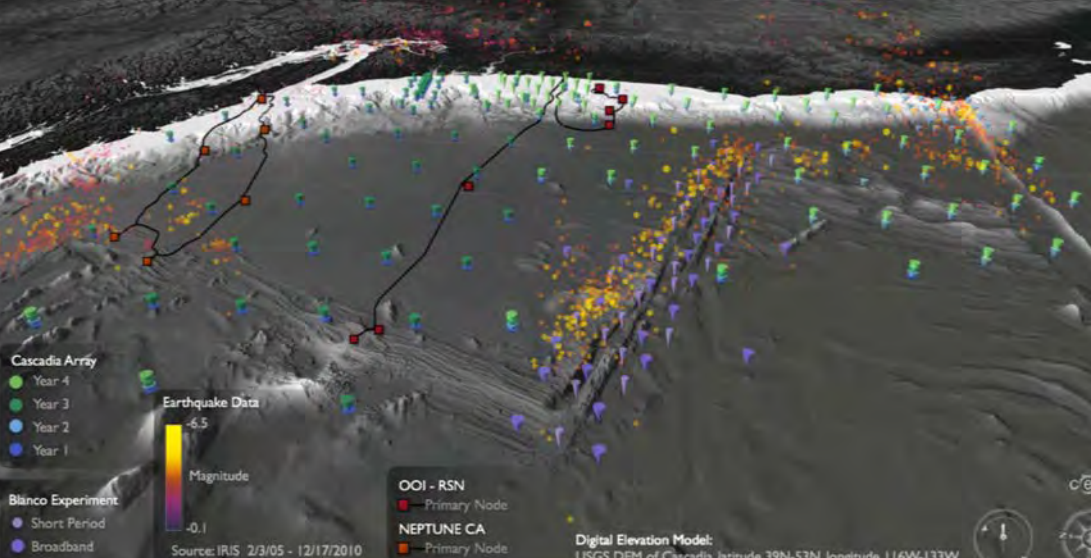


# THE CASCADIA INITIATIVE

A Sea Change In Seismological Studies of Subduction Zones



## CASCADIA ARRAY



## 100 RECOVERY ACT PROJECTS THAT ARE CHANGING AMERICA





University of Oregon doctoral student Miles Bodmer is researching why some parts of the Cascadia Subduction Zone, which stretches 600 miles from Northern California to Vancouver Island, are more seismically active than others. (BRIAN DAVIES/THE REGISTER-GUARD)

## A theory of seismic proportions

UO research offers an explanation as to why Eugene-Springfield might be at lower risk from a Cascadia quake

By Christian Hill  
The Register-Guard

New research from the University of Oregon delivers what may be a sliver of good

news — if it can be called that — for the Eugene-Springfield area as the Pacific Northwest prepares for what scientists say will be the worst natural disaster in the region's recorded history.

The research by Miles Bodmer, a doctoral student at the university, offers a theory about why the Cascadia Subduction Zone,

a 700-mile-long fault in the Earth's crust, is less likely to produce a major earthquake off the Oregon Coast and more likely to generate one off Northern California and Washington state.

The research offers an explanation of why the odds favor a partial rupture — and by partial we means kilometers long — to

the north and south of the Oregon Coast, which could spare the local area from the very worst shaking and damage from a massive magnitude 8 quake that such an event could produce. Nevertheless, such an event still could do heavy damage to the local area.

See [QUAKES, A6](#)

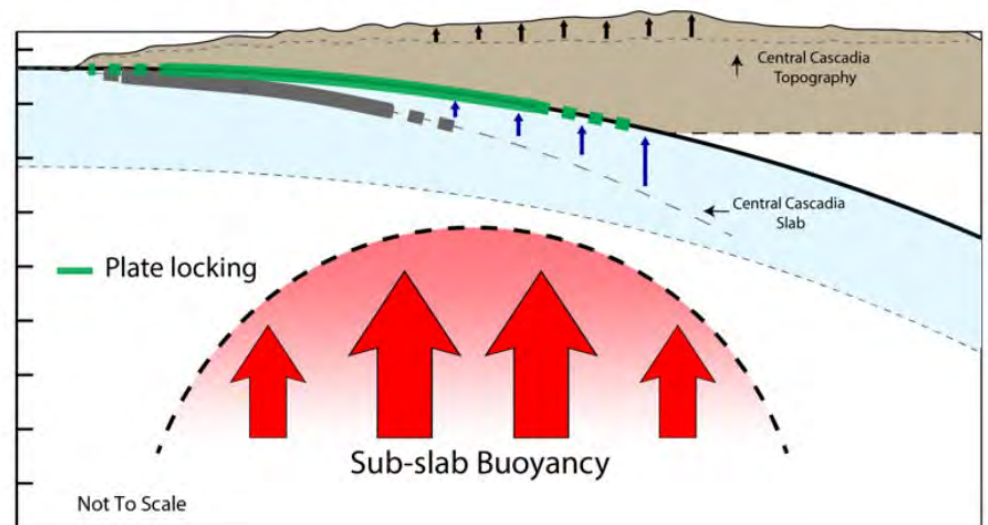
Miles Bodmer, Ph.D. Candidate, UO Earth Sciences

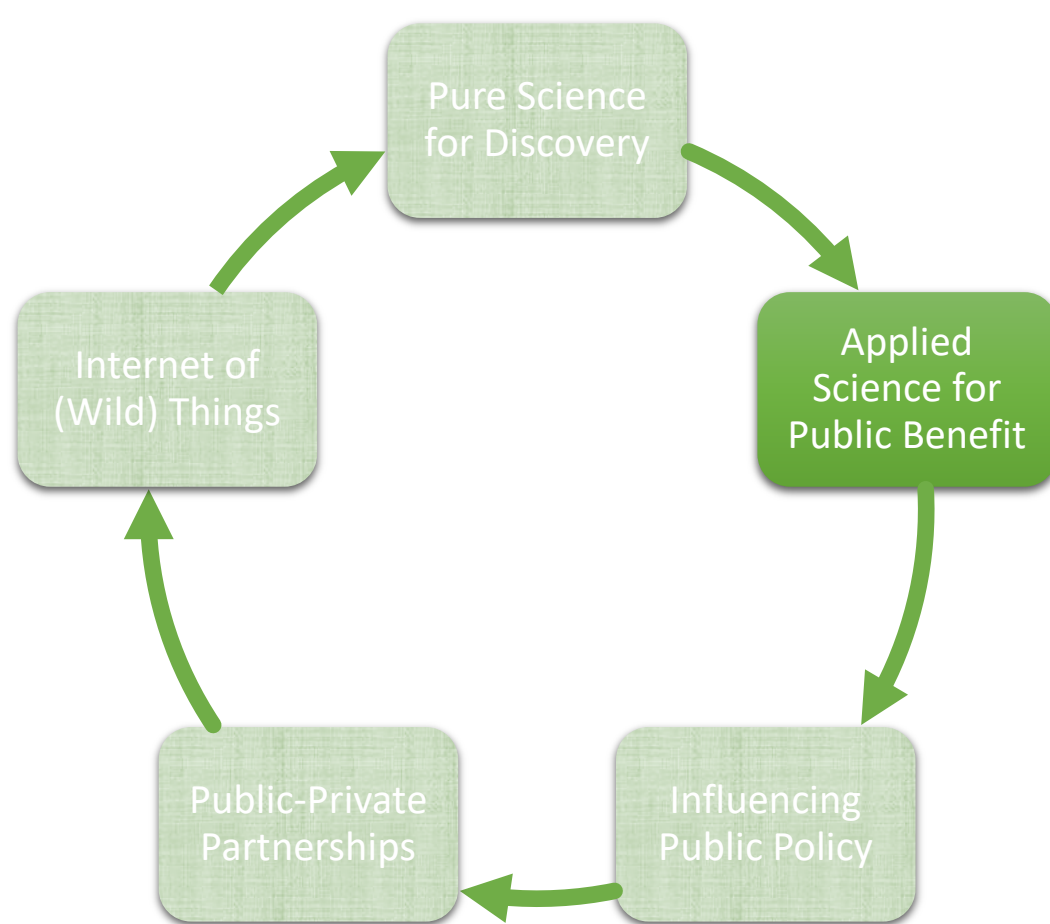
Parts of the Pacific Northwest's Cascadia fault are more seismically active than others — new imaging data suggests why

August 1, 2018 8:38am EDT

Article for the public reached over 153,000 readers

## Northern/Southern Cascadia





# Shake!lert™

*Video Redacted for Packet Publication*

# Applications

Valuable seconds to tens of seconds warning for...

- People

- move to safety
- *drop, cover, hold-on*
- mental preparation

- Things

- automated controls
- slow, stop transportation
- isolate sensitive systems and processes

- Situation awareness

- Real-time operational picture
- Take actions before infrastructure is affected



# ShakeAlert: Major System Components



Sensor  
Networks

Field telemetry

Processing  
Alert Creation

Alert Delivery

User  
Actions

Leverage this

System



# ALERTWildfire: What can it do?

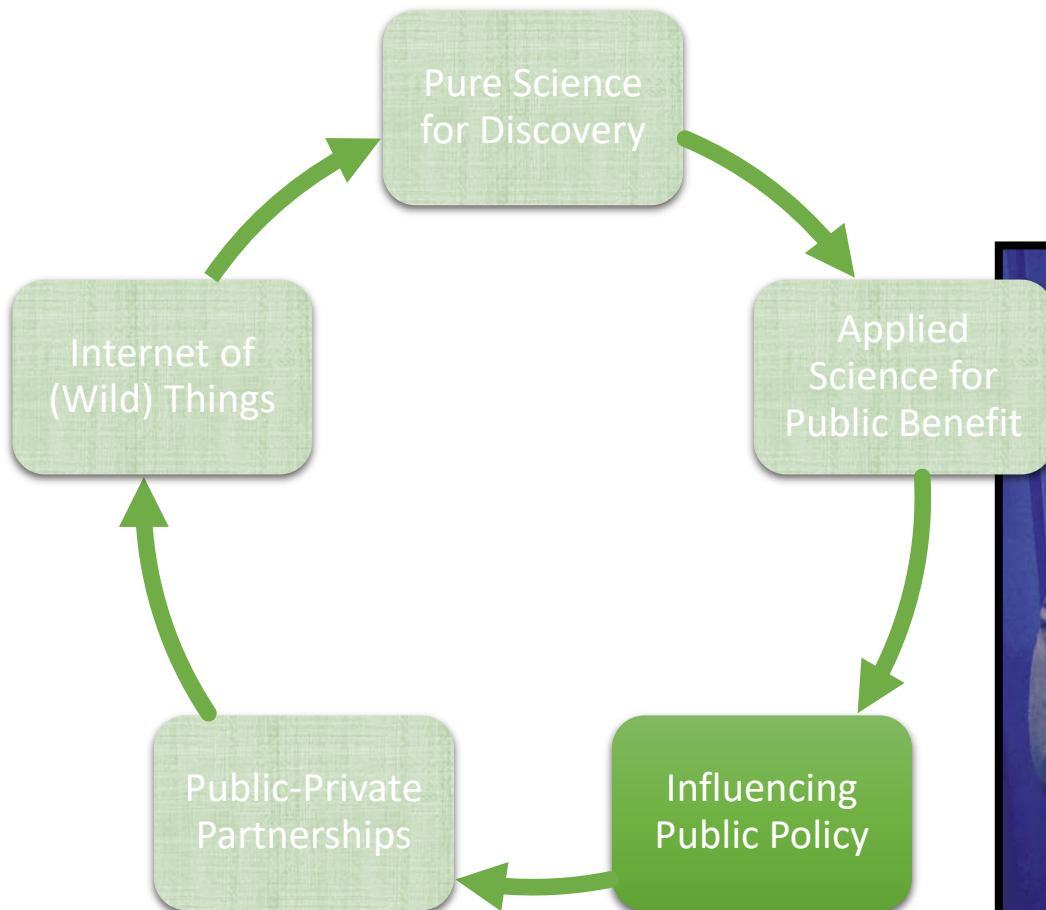
2018 Holy Fire, Santiago Peak, Orange S. Cal.  
Helping to protect communications infrastructure

**Video Redacted for Packet Publication**



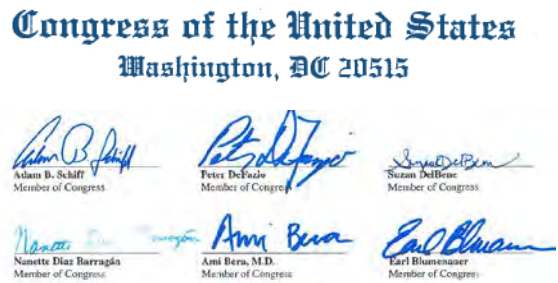
UC San Diego





# Influencing Public Policy Requires Teamwork

- Government and Community Relations
  - Federal Affairs
    - Betsy Boyd, Karen Hyatt
    - Jennifer Schafer
  - State Affairs
    - Hans Bernard, Libby Batlan
- O-HAZ Team



- USGS support to O-HAZ
- \$2M/year in proposed budget
  - 7 full-time FTEs
  - And still growing...





STATE OF OREGON  
Office of the Governor  
**KATE BROWN**

## **Resiliency 2025:** Improving Our Readiness for the Cascadia Earthquake and Tsunami

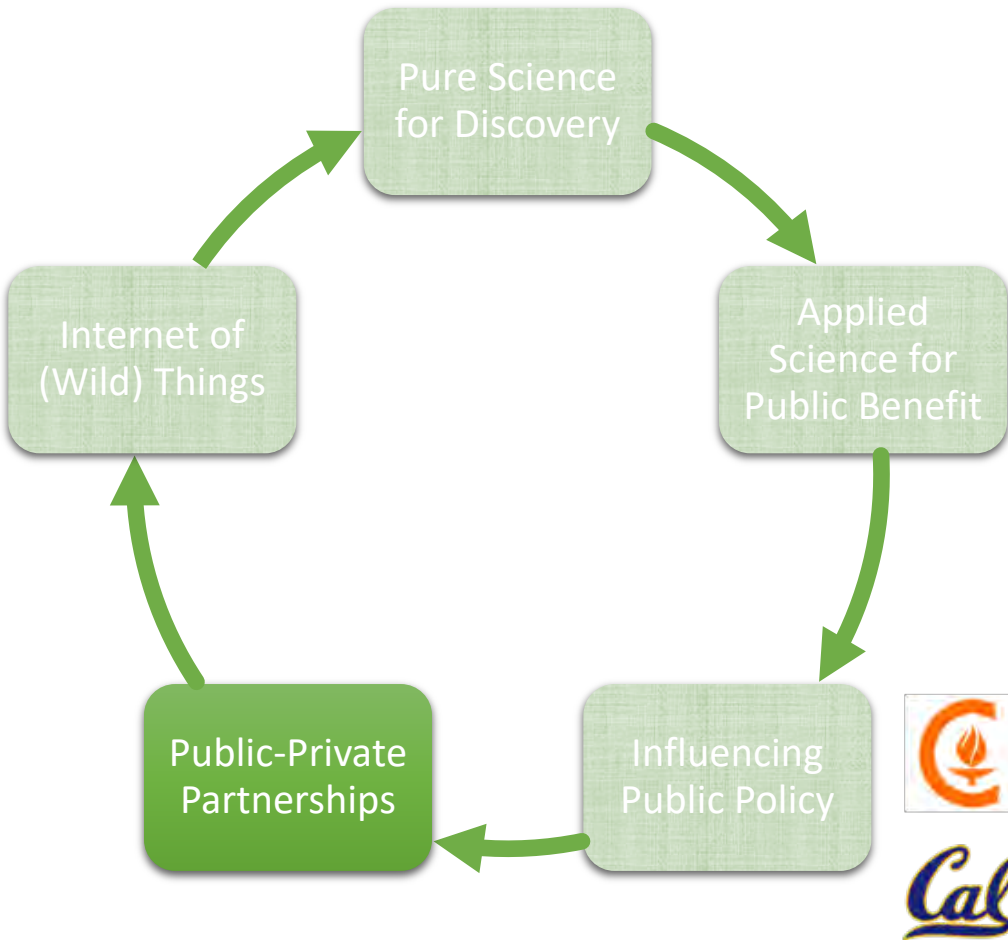
The Governor has directed the State Resilience Office to implement a statewide emergency warning system by 2023 that ties multi-hazard events: **earthquakes, wildland fires, landslides, and flooding events** into one alerting and monitoring system.

# What will Governor's \$12M Budget Achieve?

- Complete ShakeAlert by 2023 in Oregon
- Build a more robust, communications network for ShakeAlert and ALERTWildfire
- Install ~85 ALERTWildfire cameras in Oregon
- Catalyze public-private partnerships



# A Missing Piece at UO? Corporate & Foundation Relations



PUGET  
SOUND  
ENERGY

amazon catalyst

GORDON AND BETTY  
MOORE  
FOUNDATION



Washington, D.C. — Feb 2, 2016



# ALERTWildfire: Sponsors and Partners are diverse

- **Federal agencies** (BLM, National Forest Service, National Science Foundation)
- **Utilities**; ~800 existing or soon to be installed cameras
  - **San Diego Gas & Electric**
  - **SoCal Edison**
  - **Pacific Gas & Electric**
  - **Central Lincoln County PUD, Oregon (IGA, in-kind support)**
- **Counties**, adopting or replacing existing systems with ALERTWildfire
  - Sonoma, Marin, Napa, **Lane Co., Oregon**
- Private stakeholders and communities
- **We are developing additional partnerships**
- **Current status: Over 1000 cameras funded in NV & CA**

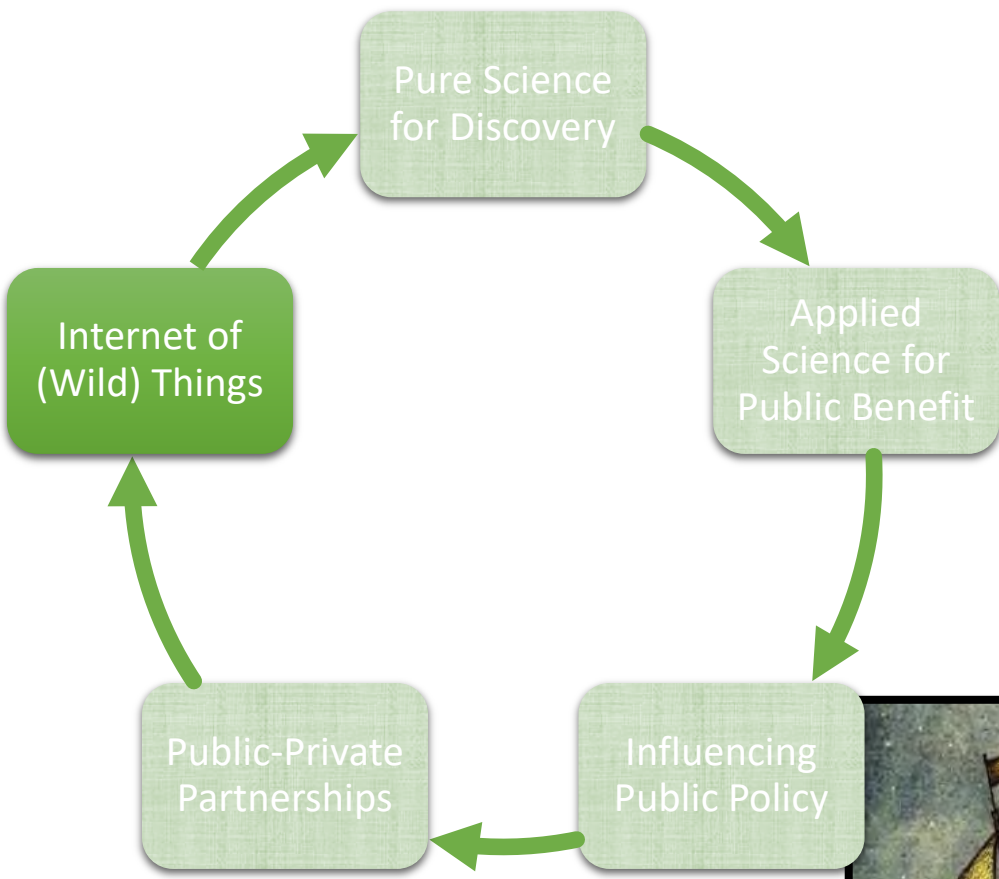
Steens/Wildhorse Mountain, Harney Co.

# ALERTWildfire & ShakeAlert provide an opportunity for regional **cooperation** and **cost sharing**



Blue Mountain, Malheur Co.

- Examples of **OR stakeholders** we have engaged
  - Northwest Natural
  - Bonneville Power Authority
  - Eugene Water & Electric Board
  - Central Lincoln County PUD
  - PacifiCorp
  - Port of Portland
  - Nine Tribes of Oregon
  - Harney County Wildfire Collaborative
  - Lane County Sheriffs Office
  - Douglas Forest Protection Association
  - Coos Forest Protection Association
  - Oregon Department of Forestry
  - Rogue Valley Council of Government
  - Oregon Department of Transportation
  - Oregon Office of Emergency Management
  - Department of Oregon Geology and Mineral Industries



# IoWT: A platform to support interdisciplinary research that forges a lasting impact

Leland O'Driscoll, O-HAZ



Real-Time  
Data Transfer

M. Coleman, & N. Maggio, RACS



Societal Impact

Sensor  
Networks



Sara Meyer, O-HAZ

Scientific  
Research



**Real-Time Coastal Oceanography**


**Why?**

- Ecosystems/fisheries driven by seasonal changes in ocean waters. **When this happens is key.**
- Concerns over Harmful Algal Blooms (HABs), hypoxia (low-oxygen), & ocean acidification. **We need improved monitoring.**
- Forecasts of ocean 'weather' rely on real-time data.

**How?**


- OSU & PSU lead efforts off northern Oregon coast. UW leads efforts off Washington and in Puget Sound. Northwest Association of Networked Ocean Observing Systems (NANOOS) is leading the way.
- Relatively little happening in southern Oregon and northern California. **This is an opportunity.**
- Cosco Bay and the South Slough National Estuarine Research Reserve have the potential to be a base of operations for coastal oceanographic research in southern Cascadia.

**NANOOS Data Explorer:** [nvs.nanoos.org](https://nvs.nanoos.org)



**Intelligent and Networked Technologies Can Improve Landslide Warning for Small Communities**


Effective warning systems have four components



- Risk Knowledge:** Network of smart, inexpensive structure sensors can improve real-time landslide prediction.
- Monitoring:** Mapping of community networks can improve risk communication and response.
- Communication:** Participants' computer-supported deliberations will help community inform system design.
- Response Capability:** Projects aim to benefit links and help disseminate approach nationwide.

**Sensing for Extreme Environments Lab (SEEL) Oregon Center for Volcanology**

- The hazardous conditions in volcanic eruptions have limited the data from on-going events.
- We are developing 'smart' sensors and networks capable of detecting conditions inside eruption plumes and other natural granular flows.
- These mesh networks of large numbers of individual sensors will generate an unprecedented dataset of these rapidly evolving eruptions and can be linked dynamically to on-going simulations in a high performance computing environment.



Steve  
Huter  
NSRC

**NSRC**  
Network Startup Resource Center

ABOUT ACTIVITIES NEWS SUPPORTERS CALENDAR VIDEOS [Joseph C. Cravens, DVM](#)

The NSRC cultivates collaboration among a community of peers to build and improve a global Internet that benefits all parties. We facilitate the growth of sustainable Internet infrastructure via technical training and engineering assistance to enrich the network of networks. Our goal is to connect people.

**March: CENIC 2018 Conference with Vint Cerf, California**



**CELEBRATING 20**

**SUCCESS STORIES**

The Network Startup Resource Center coordinates a wide range of Pacific island nations and engineering assistance University of Guam, HS

**RESOURCES**

**LINK OREGON**

PLANNED NETWORK CONNECTION SITES

- Newport
- Portland/Hillsboro
- Salem
- Corvallis
- Eugene
- Roseburg
- Grants Pass
- Medford/Central Point
- Ashland
- The Dalles
- Bend
- Klamath Falls
- Pendleton
- La Grande
- Ontario
- Burns
- Boise, Idaho
- Florence - possible
- Cosco Bay - possible



**2,300 route-mile network**

**IMPLEMENTATION**

- Over 3-5 years
- State of Oregon and University funding
- Partnership with private and public telecommunications companies

Steve  
Carbató  
Link  
Oregon

Asst. Prof Hollie Smith, SJOC


**Media Center for Science and Technology**  
Within the School of Journalism and Communication

- Hollie Smith, Assistant Professor of Science and Environmental Communication
  - Expertise in science communication & decision-making
  - How people use scientific information in response to environmental situations
- USGS EHP Proposal: Field experiments designed to assess what messaging and communication strategies are best used to maximize evidence-based decision-making when receiving ShakeAlert notifications
  - Communities in Oregon identified in partnership with Shake Alert
  - Understanding how different messages elicit different responses among diverse user groups
  - Experimental design that uses both qualitative and quantitative methods

**Oregon Hazards Lab**

O-HAZ uses science, technology, and education to understand, monitor, and mitigate multi-hazards within the PNW

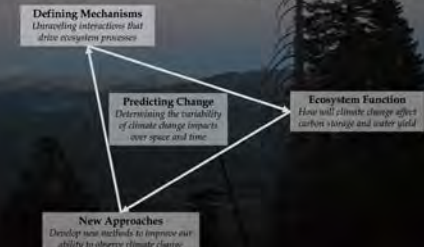
- Pacific Northwest Seismic Network
- ShakeAlert
- AlertWildfire



[ohaz.uoregon.edu](http://ohaz.uoregon.edu)

Asst. Prof Lucas Silva, Geography

**Biogeochemistry links biotic and abiotic responses to climate change**



- Defining Mechanisms:** Unraveling interactions that drive ecosystem processes
- Predicting Change:** Determining the variability of climate change impacts over space and time
- Ecosystem Function:** How will climate change affect carbon storage and water yield?
- New Approaches:** Develop new methods to improve our ability to observe climate change

**Video Redacted for Packet Publication**

# Parts of the Pacific Northwest’s Cascadia fault are more seismically active than others – new imaging data suggests why

August 1, 2018 6.38am EDT

What’s going on 150 kilometers below the Earth’s surface? Good Free Photos

# Parts of the Pacific Northwest’s Cascadia fault are more seismically active than others – new imaging data suggests why

August 1, 2018 6.38am EDT

The Pacific Northwest is known for many things – its beer, its music, its mythical large-footed creatures. Most people don’t associate it with earthquakes, but they should. It’s home to the Cascadia megathrust fault that runs 600 miles from Northern California up to Vancouver Island in Canada, spanning several major metropolitan areas including Seattle and Portland, Oregon.

This geologic fault has been relatively quiet in recent memory. There haven’t been many widely felt quakes along the Cascadia megathrust, certainly nothing that would rival a catastrophic event like the 1989 Loma Prieta earthquake along the active San Andreas in California. That doesn’t mean it will stay quiet, though. Scientists know it has the potential for large earthquakes – as big as magnitude 9.

Geophysicists have known for over a decade that not all portions of the Cascadia megathrust fault behave the same. The northern and southern sections are much more seismically active than the central section – with frequent small earthquakes and ground deformations that residents don’t often notice. But why do these variations exist and what gives rise to them?

Our research tries to answer these questions by constructing images of what’s happening deep within the Earth, more than 100 kilometers below the fault. We’ve identified regions that are rising up beneath

## Authors



**Miles Bodmer**  
PhD Student in Earth Sciences, University of Oregon

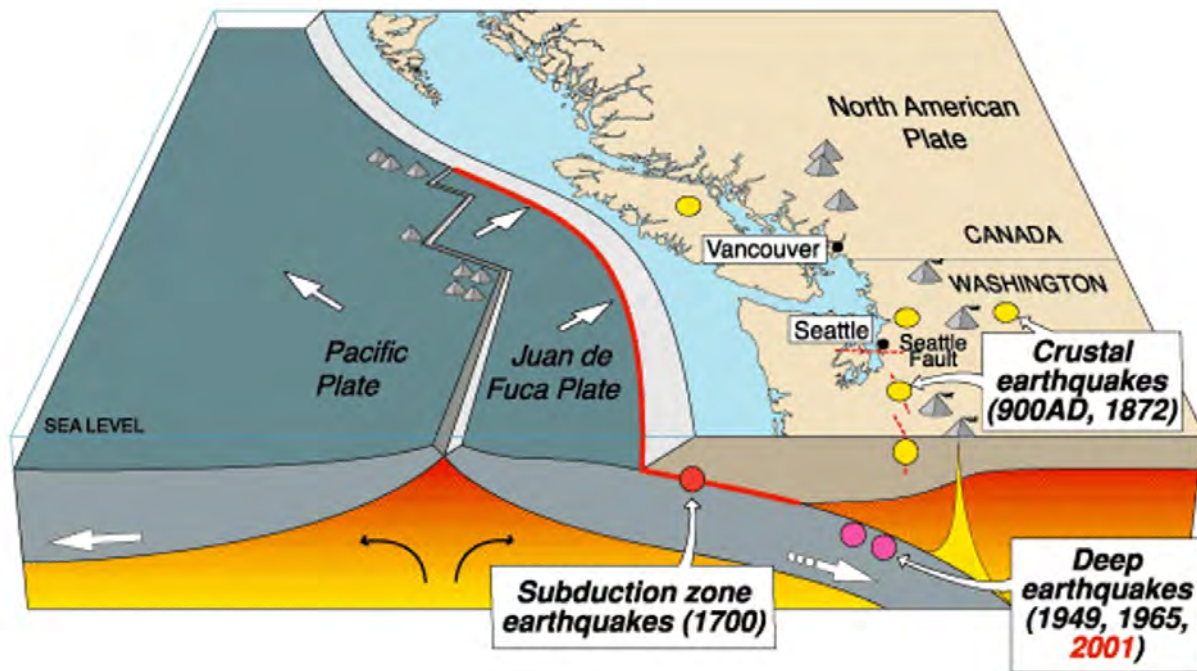


**Doug Toomey**  
Professor of Earth Sciences, University of Oregon

these active sections which we think are leading to the observable differences along the Cascadia fault.

## Cascadia and the 'Really Big One'

The Cascadia subduction zone is a region where two tectonic plates are colliding. The Juan de Fuca, a small oceanic plate, is being driven under the North American plate, atop which the continental U.S. sits.



The Juan de Fuca plate meets the North American plate beneath the Cascadia fault. USGS, CC BY

Subduction systems – where one tectonic plate slides over another – are capable of producing the world's largest known earthquakes. A prime example is the 2011 Tohoku earthquake that rocked Japan.

Cascadia is seismically very quiet compared to other subduction zones – but it's not completely inactive. Research indicates the fault ruptured in a magnitude 9.0 event in 1700. That's roughly 30 times more powerful than the largest predicted San Andreas earthquake. Researchers suggest that we are within the roughly 300- to 500-year window during which another large Cascadia event may occur.

Many smaller undamaging and unfelt events take place in northern and southern Cascadia every year. However, in central Cascadia, underlying most of Oregon, there is very little seismicity. Why would the same fault behave differently in different regions?

Over the last decade, scientists have made several additional observations that highlight variations along the fault.

One has to do with plate locking, which tells us where stress is accumulating along the fault. If the

tectonic plates are locked – that is, really stuck together and unable to move past each other – stress builds. Eventually that stress can be released rapidly as an earthquake, with the magnitude depending on how large the patch of fault that ruptures is.

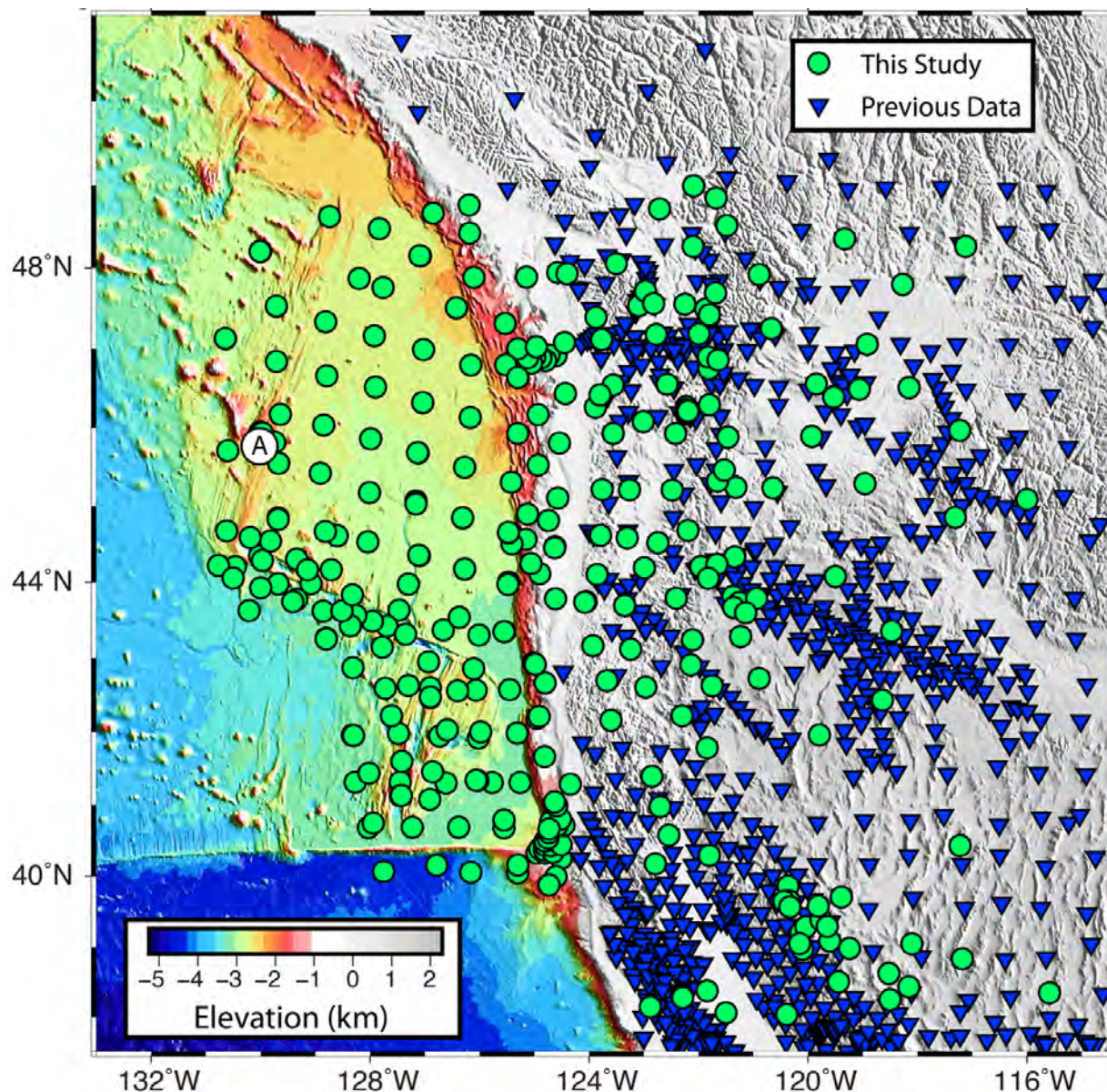
Geologists have recently been able to deploy hundreds of GPS monitors across Cascadia to record the subtle ground deformations that result from the plates' inability to slide past each other. Just like historic seismicity, plate locking is more common in the northern and southern parts of Cascadia.

Geologists are also now able to observe difficult-to-detect seismic rumblings known as tremor. These events occur over the time span of several minutes up to weeks, taking much longer than a typical earthquake. They don't cause large ground motions even though they can release significant amounts of energy. Researchers have only discovered these signals in the last 15 years, but permanent seismic stations have helped build a robust catalog of events. Tremor, too, seems to be more concentrated along the northern and southern parts of the fault.

What would cause this situation, with the area beneath Oregon relatively less active by all these measures? To explain we had to look deep, over 100 kilometers below the surface, into the Earth's mantle.



A GPS geosensor in Washington. Bdelisle, CC BY



Green dots and blue triangles show locations of seismic monitoring stations. Bodmer et al., 2018, Geophysical Research Letters, CC BY-ND

## Imaging the Earth using distant quakes

Physicians use electromagnetic waves to “see” internal structures like bones without needing to open up a human patient to view them directly. Geologists image the Earth in much the same way. Instead of X-rays, we use seismic energy radiating out from distant magnitude 6.0-plus earthquakes to help us “see” features we physically just can’t get to. This energy travels like sound waves through the structures of the Earth. When rock is hotter or partially molten by even a tiny amount, seismic waves slow down. By measuring the arrival times of seismic waves, we create 3D images showing how fast or slow the seismic waves travel through specific parts of the Earth.

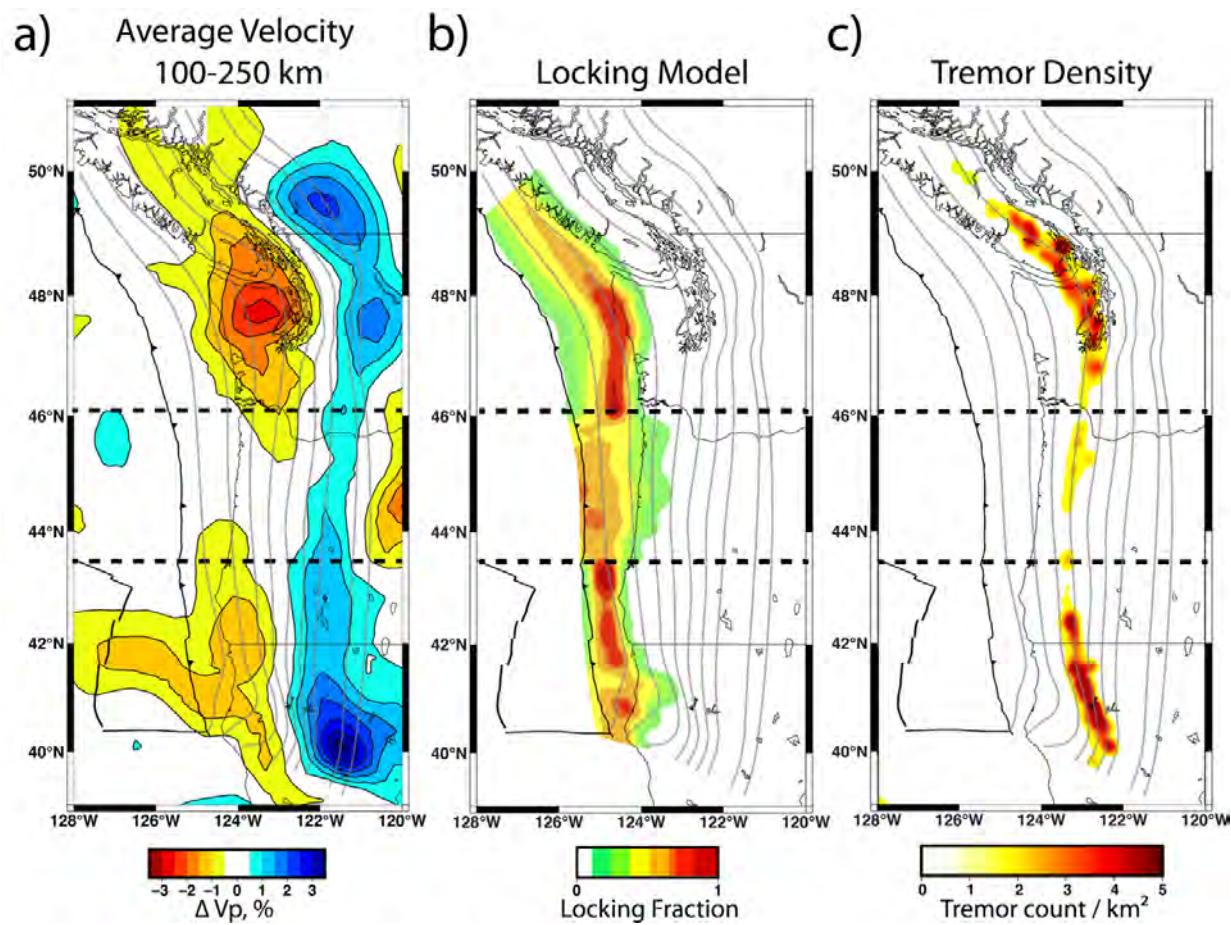
To see these signals, we need records from seismic monitoring stations. More sensors provide better

resolution and a clearer image – but gathering more data can be problematic when half the area you’re interested in is underwater. To address this challenge, we were part of a team of scientists that deployed hundreds of seismometers on the ocean floor off the western U.S. over the span of four years, starting in 2011. This experiment, the Cascadia Initiative, was the first ever to cover an entire tectonic plate with instruments at a spacing of roughly 50 kilometers.

What we found are two anomalous regions beneath the fault where seismic waves travel slower than expected. These anomalies are large, about 150 kilometers in diameter, and show up beneath the northern and southern sections of the fault. Remember, that’s where researchers have already observed increased activity: the seismicity, locking, and tremor. Interestingly, the anomalies are not present beneath the central part of the fault, under Oregon, where we see a decrease in activity.



Ocean bottom seismometers waiting to be deployed during the Cascadia Initiative. Emilie Hooft, CC BY-ND



Regions where seismic waves moved more slowly, on average, are redder, while the areas where they moved more quickly are bluer. The slower anomalous areas 150 km beneath the Earth’s surface corresponded to where the colliding plates are more locked and where tremor is more common. Bodmer et al., 2018, Geophysical Research Letters, CC BY-ND

So what exactly are these anomalies?

The tectonic plates float on the Earth's rocky mantle layer. Where the mantle is slowly rising over millions of years, the rock decompresses. Since it's at such high temperatures, nearly 1500 degrees Celsius at 100 km depth, it can melt ever so slightly.

These physical changes cause the anomalous regions to be more buoyant – melted hot rock is less dense than solid cooler rock. It's this buoyancy that we believe is affecting how the fault above behaves. The hot, partially molten region pushes upwards on what's above, similar to how a helium balloon might rise up against a sheet draped over it. We believe this increases the forces between the two plates, causing them to be more strongly coupled and thus more fully locked.

### A general prediction for where, but not when

Our results provide new insights into how this subduction zone, and possibly others, behaves over geologic time frames of millions of years. Unfortunately our results can't predict when the next large Cascadia megathrust earthquake will occur. This will require more research and dense active monitoring of the subduction zone, both onshore and offshore, using seismic and GPS-like stations to capture short-term phenomena.

Our work does suggest that a large event is more likely to start in either the northern or southern sections of the fault, where the plates are more fully locked, and gives a possible reason for why that may be the case.

It remains important for the public and policymakers to stay informed about the potential risk involved in cohabiting with a subduction zone fault and to support programs such as Earthquake Early Warning that seek to expand our monitoring capabilities and mitigate loss in the event of a large rupture.

[Earth science](#)[Earthquakes](#)[Geology](#)[Plate tectonics](#)[Earth's mantle](#)[Rocks](#)[Geophysics](#)[Seismic waves](#)[Tectonic plates](#)[Tectonics](#)[Seismic activity](#)

The Oregon State Legislature’s Joint Committee on Ways and Means Subcommittee on Capital Construction held a public hearing on May 3, 2019. Prof. Toomey testified in support of the Governor’s request for \$12M to support capital costs associated with ShakeAlert and ALERTWildfire. In preparation for that hearing, letters of support from stakeholders throughout the region were provided to the committee; an index of those letters is below and those noted with an \* are included in this packet (following this page) as samples.

**State Treasuries**—Tobias Read, Fiona Ma, Duane Davidson (State Treasurers)

**Central Lincoln PUD**—Shamus Gamache (Electrical Engineering Supervisor)

**Clackamas 800 Radio Group**—John Hartsock (Manager)

**Clatsop County Emergency Management**—Tiffany Brown (Director)

**Coquille Indian Tribe**—Mark Johnson (Executive Director).

**Emergency Volunteer Corps of Nehalem Bay**—Linda Kozlowski (President)

**\*\*Eugene Water & Electric Board**—Michael McCann (Electric Generation Manager)

**Keiser Permanente NW**—Kimberly Galey (Emergency Preparedness Coordinator)

**Lane County Board of Commissioners**—Pete Sorenson (Chair)

**Lane County Sheriff’s Office**—Brian Greig (Comm. Network Coordinator)

**\*\*Ocean Networks Canada**—Kate Moran (President and CEO)

**Oregon Seismic Safety Panel Advisory Committee**—Jay Raskin (Chair)

**\*\*Port of Portland**—Curtis Robinhold (Executive Director)

**RDPO**—Karylenn Echols (Chair and City of Gresham Representative)

**RH2 Engineering**—Kyle Pettibone & Rachel Lanigan (Principal Managers)

**Rogue Valley Council of Governments**—Michael Cavallaro (Executive Director)

**\*\*University of Nevada, Reno**—Graham Kent (Director & State Seismologist)

**University of Oregon**

**Department of Earth Sciences**

1272 University of Oregon, Eugene OR 97403-1272

541-346-4573 | FAX 541-346-4692 [earthsciences.uoregon.edu](mailto:earthsciences.uoregon.edu)



## Eugene Water & Electric Board

500 East 4th Avenue/Post Office Box 10148  
Eugene, Oregon 97440-2148  
541-685-7000  
[www.eweb.org](http://www.eweb.org)

Senator Fred Girod  
Representative Paul Holvey  
Subcommittee on Capital Construction  
Joint Committee on Ways and Means  
Oregon State Legislature  
May 1, 2019

RE: Support for capital investment in ShakeAlert and ALERTWildfire programs

Dear Co-Chairs Girod and Holvey:

The Eugene Water & Electric Board (EWEB), Oregon's largest municipal utility, operates three hydroelectric facilities on and around the McKenzie River in Linn and Lane Counties in Oregon. Our hydroelectric facilities include three reservoirs at Carmen-Smith and two earthen canals at Leaburg and Walterville. EWEB also has four powerhouses and approximately twenty miles of high voltage transmission line in the McKenzie valley. All of these facilities could be significantly impacted by either an earthquake or wildfire. The potential effects of a large earthquake on EWEB infrastructure could also impact human health and life in the proximity of EWEB's facilities.

For these reasons, EWEB became an early supporter, adopter and advocate for the University of Oregon (UO) ShakeAlert program. EWEB currently has a ShakeAlert earthquake monitoring station located at our Leaburg hydroelectric facility and a second station at Carmen-Smith. These stations feed data into the Pacific Northwest seismic monitoring system. EWEB is also preparing to automate responses to warnings received from the ShakeAlert system. The signals from the ShakeAlert system currently sound audible alarms within EWEB's Trading Floor / Hydroelectric Control Center and at other EWEB facilities. EWEB anticipates using alarms of potentially strong shaking from the ShakeAlert system to cease power generation and drain or otherwise "make safe" water conveyance facilities. Ultimately, EWEB expects to automate responses to ShakeAlert warnings by using the alarms to trigger automatic control systems to initiate "make safe" actions at our facilities.

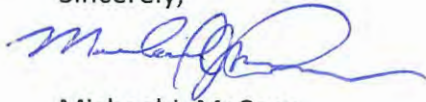
Similarly, all of EWEB's hydroelectric facilities are located in or adjacent to both public and private forestlands. Over the past five years, EWEB has experienced an increase in wildfire risk and impact due to both climate change and persistent drought. Last summer, EWEB was forced to cease hydroelectric power generation at Carmen-Smith due to wildfire activity for the first time since the project became operational in 1963.

EWEB views both the ShakeAlert and ALERTWildfire programs to be necessary and vital to the safe continued operation of our hydroelectric facilities. By investing in sensors for the ShakeAlert earthquake early warning, cameras for ALERTWildfire, and telemetry to allow real-time communication, Oregon will be advancing a multi-hazard approach to disaster response and mitigation that will support ongoing clean hydroelectric energy production in our rural areas.

EWEB asks that you support the Governor's proposal for a \$12MM capital investment in the ShakeAlert and ALERTWildfire programs. This investment will achieve three important goals: (1) complete the buildout of ShakeAlert in Oregon by 2023, (2) develop a more robust data communications backbone that supports both ShakeAlert and ALERTWildfire, and (3) install ALERTWildfire cameras in fire prone regions throughout the state.

Thank you for your consideration.

Sincerely,



Michael J. McCann  
Electric Generation Manager

2 May 2019

Joint Committee on Ways & Means  
Subcommittee on Capital Construction  
900 Court St. NE, S-401  
Salem, Oregon 97301, US

Sent via email to: [sen.FredGirod@oregonlegislature.gov](mailto:sen.FredGirod@oregonlegislature.gov) and  
[Rep.PaulHolvey@oregonlegislature.gov](mailto:Rep.PaulHolvey@oregonlegislature.gov)

Dear Co-Chairs Senator Girod and Representative Holvey and members of the Subcommittee,


In a disaster, we count on our neighbours; whether we're facing a forest fire or an earthquake, neighbours are the backbone of a resilient community.

Ocean Networks Canada, an initiative of the University of Victoria, is a not-for profit society and one of Canada's major federal science programs that enhances life on Earth by providing knowledge and leadership that deliver solutions for science, society, and industry. Ocean Networks Canada brings real-time ocean monitoring and data management to leading-edge science and technology solutions, all of which contribute to the resilience of both the US and Canada's coastlines and ocean. For this reason, Ocean Networks Canada developed an earthquake early warning system (EEWS) monitoring the Cascadia Subduction Zone that, once operational, will provide alerts to west coast communities in the event of an earthquake.

Along with many valued relationships with US scientific partners, Ocean Networks Canada is also an affiliate member of the US ShakeAlert Joint Committee for Communication, Education and Outreach. Through the efforts of Federal, State/Provincial and academic partners in both countries, we are operationalizing an integrated earthquake early warning system that will help protect people and infrastructure on both sides of the Canada/US border.

Ocean Networks Canada urges the Joint Committee on Ways & Means to enhance the resiliency of our coastline by supporting the \$12M investment in ShakeAlert earthquake early warning, cameras for ALERTWildfire, and telemetry, which will allow for real-time communication to communities at risk. Through a multi-hazard approach, your initiative will be advancing disaster response and mitigation as well as contributing to our collective west coast resilience.

Sincerely,



Kate Moran, PhD  
President and CEO

cc: Lucy Walsh ([lwalsh@uoregon.edu](mailto:lwalsh@uoregon.edu))



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May 2, 2019

Senator Fred Girod (Co-Chair)  
Representative Paul Holvey (Co-Chair)  
Ways and Means Subcommittee on Capital Construction  
Oregon State Capitol  
900 Court St. NE  
Salem, Oregon 97301

Dear Co-Chairs Girod and Holvey and members of the Committee;

The Port of Portland plays a critical role in the Oregon economy by providing infrastructure and services that support the movement of maritime cargo and aviation passengers and cargo. As noted in the Oregon Resilience Plan, we anticipate that following an occurrence of a large scale natural disaster, such as a Cascadia Subduction Zone (CSZ) earthquake, Port aviation and marine facilities will serve a key role in response and recovery from the event.

An early warning system, such as ShakeAlert, that could assist in retaining service capabilities at Port facilities is well worth the \$12 million investment. Forty seconds of warning at PDX could keep planes on the ground or in the air, avoiding potential ground movement impacts to aircraft operations, thus saving lives and damage to key infrastructure. Early warning could also provide passengers and employees at Portland International Airport the opportunity to shelter in a safe location as well as securing key utilities to minimize secondary damage due to fires or flooding.

The ALERTWildfire camera and telemetry system would help avoid interruptions in the flow of maritime cargo on the Columbia/Snake River system like that which occurred with wildfires in the Columbia Gorge. By allowing real-time communications in response to earthquake and fire emergencies, the state will be advancing a multi-hazard approach to disaster response, mitigation and recovery.

Sincerely,

A handwritten signature in black ink, appearing to read 'Curtis Robinhold', is written over a white background.

Curtis Robinhold  
Executive Director



University of Nevada, Reno

Dr. Graham M. Kent  
Director | State Seismologist  
Nevada Seismological Laboratory  
University of Nevada, Reno/MS 174  
1664 N. Virginia St.  
Reno, NV 89557  
775-527-1574/775-527-1574  
[gkent@unr.edu](mailto:gkent@unr.edu)

May 22nd, 2019

Co-Chairs Girod and Holvey, and members  
of the committee

Subject: House Bill 5005 Testimony

As Nevada State Seismologist and Chief Architect of ALERTWildfire, I applaud and strongly support the \$12M initiative to build out ALERTWildfire and ShakeAlert infrastructure throughout Oregon. By co-investing in sensors for ShakeAlert earthquake early warning, near-Infrared cameras for ALERTWildfire, and telemetry to allow real-time communication and resiliency, the state will be advancing a multi-hazard approach to disaster response and mitigation. Ultimately, Oregon will have no choice but to build out both networks, and yet, sooner adoption of this multihazard approach will not only save significant sums of money, but contribute to a better, more coordinated system. The 2018 fire season in Oregon was record breaking and highlights the immediate need to adopt the “San Diego County model” for quick and decisive fire suppression during the initial phase of fire ignition, especially during red flag days. ALERTWildfire is well into building 1000 cameras in California, with 130 new cameras being installed in the past 4 months, and potentially another 260 more cameras in 2019 (174 cameras in California as of May 1<sup>st</sup>, 2019). California is now investing \$200M on new technologies and innovation (e.g., AI smoke detection, messaging) with respect to early suppression of wildfire, monitoring of the electrical system, etc.; this is beyond the \$50+ M investment in ALERTWildfire cameras. The present \$12M ask in Oregon will go a long way towards spinning up a truly modern fire camera system that will greatly benefit from California’s current investment (i.e., IOU utilities and state funding). The early suppression of fires in San Diego County and Lake Tahoe (where ALERTWildfire cameras played a pivotal role) during significant weather events (i.e., low humidity and strong wind) provides a road map for other states (e.g., Nevada is also considering a more rapid deployment of ALERTWildfire; 26 total at present). The immediate need to address the “New Normal” is ever present, and I look forward to working with Oregon to address this emergency.

Sincerely,